

**ORDINANCE NUMBER \_\_\_\_15948, 16162, 17071, 17201,  
17522, 17680, 18338, 18459 & 18473\_\_\_\_**

**AN ORDINANCE AMENDING THE FORT WORTH BUILDING CODE, BY ADOPTING THE 2003 INTERNATIONAL BUILDING CODE, WITH LOCAL AMENDMENTS; AMENDING SECTIONS 7-46, 7-47, 7-48, AND 7-49 OF THE CODE OF THE CITY OF FORT WORTH (1986); REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, DESIGN, QUALITY OF MATERIALS, USE, HEIGHT, AREA, REHABILITATION AND MAINTENANCE OF BUILDINGS AND STRUCTURES IN THE CITY OF FORT WORTH; DEFINING CERTAIN TERMS; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREOF; PROVIDING FOR THE INSPECTION OF BUILDINGS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER AND PROVIDING AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:**

**SECTION 1.**

Section 7-46 of the Code of the City of Fort Worth (1986) is amended to read as follows:

**Sec. 7-46. THE 2003 EDITION OF THE INTERNATIONAL BUILDING CODE ADOPTED.**

(a) The Building Code of the City of Fort Worth is hereby revised and amended to conform, with certain exceptions as specified below, to the 2003 edition of the International Building Code of the International Code Council (ICC), and the same as amended is hereby adopted as the City's Building Code.

(b) The provisions of the Residential Code, as adopted elsewhere, shall be used for buildings and structures applicable to that code except as provided for in that code.

(c) One (1) copy of the 2003 edition of the International Building Code, marked Exhibit "A", is incorporated herein by reference and shall be filed in the office of the City Secretary for permanent record and inspection.

(d) Any Errata corrections published by the International Code Council for the 2003 International Building Code, as they are discovered, are considered as part of this code.

## **SECTION 2.**

That Section 7-47 of the Code of the City of Fort Worth (1986) is amended to read as follows:

### **Sec. 7-47. Amendments**

(a) Chapter 1, "ADMINISTRATION" of the 2003 edition of the International Building Code is hereby deleted and replaced with the following:

## **Chapter 1 ADMINISTRATION**

### **SECTION 101 - GENERAL**

**101.1 Title.** These regulations shall be known as the Fort Worth Building Code, may be cited as such and will be referred to herein as "this code."

**101.2 Scope.** The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures. The provisions shall also apply to usage of the surrounding site and access to and from the building, structure or site, as necessary to achieve the purpose of this code, and to obtain compliance with other codes and ordinances of this jurisdiction.

**Exceptions: 1.** Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the Residential Code, except as provided for in that code. For application of this code to such uses under the Residential Code, they shall be considered to be Group R-3 residential uses with Group U accessory uses, unless a more appropriate occupancy group is assigned by the Building Official.

**2.** Work located primarily in a public way, public utility towers and poles, and hydraulic flood control structures, under the authority of a regulatory or governmental agency, and not specifically regulated in this code.

**101.2.1 Appendices.** Wherever in this code reference is made to the appendix, the provisions in the appendix shall not apply unless specifically adopted.

**101.3 Intent.** The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through use and occupancy, structural

strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations, for all buildings and structures within this jurisdiction and certain equipment specifically regulated herein.

The purpose of this code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

**101.4 Referenced codes.** The other codes listed in Sections 101.4.1 through 101.4.8 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

**101.4.1 Electrical.** Any reference to NFPA 70 or the ICC *Electrical Code* shall mean the Electrical Code as adopted.

**101.4.2 Gas.** Any reference to the *International Fuel Gas Code* shall mean a portion of the Plumbing Code as adopted. See definition of Plumbing Code.

**101.4.3 Mechanical.** Any reference to the *International Mechanical Code* shall mean the Mechanical Code as adopted.

**101.4.4 Plumbing.** Any reference to the *International Plumbing Code* shall mean a portion of the Plumbing Code as adopted. See definition of Plumbing Code.

**101.4.5 Property Maintenance.** Any reference to the *International Property Maintenance Code* shall mean the provisions of this code and the Minimum Building Standards Code as applicable to the reference.

**101.4.6. Fire prevention.** Any reference to the *International Fire Code* shall mean the Fire Code as adopted.

**101.4.7. Energy.** Any reference to the *International Energy Conservation Code* shall mean the Energy Code as adopted.

**101.4.8. Residential.** Any reference to the *International Residential Code* shall mean the Residential Code as adopted.

## SECTION 102 - APPLICABILITY

**102.1 Referenced codes and standards.** The codes and standards referenced herein

shall be those that are listed in Chapter 35 of this code and elsewhere in the City Codes. Such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference.

**102.1.1 Amendments.** Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well.

**102.2 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

**102.3 Application of references.** References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

**102.4 Differences/Conflicts.** Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

**102.5 Partial invalidity.** If any section, subsection, sentence, clause or phrase of this code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

**102.6 Existing structures.** The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in Chapter 34 or as an unsafe building of Section 115, of this code, the Minimum Building Standards Code or the Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

**102.6.1 Annexation.** Upon annexation, all existing structures and buildings are subject to inspection for compliance with the provisions of Chapter 34 or as an unsafe building of Section 115, of this code, the Minimum Building Standards Code or the Fire Code, except as specifically deleted by such annexation ordinance.

## **SECTION 103 – DEPARTMENT OF PLANNING AND DEVELOPMENT**

**103.1 Creation of code enforcement agency.** The Department of Planning and Development is created as specified in the City Code. Primary enforcement of the provisions of this code shall rest with the Department of Planning and Development as specified under the duties and powers of the Building Official in the City Code.

The provisions of this code may be enforced by other code enforcement divisions of this city but interpretation authority shall be retained by the building official.

**103.2 Appointment.** The Building Official shall be appointed as specified in the City Code.

**103.3. Deputies.** In accordance with prescribed procedures of this jurisdiction and with the approval of the appointing authority, the Building Official shall have the authority to appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. Such employees shall have powers as delegated by the Building Official.

## **SECTION 104 – DUTIES AND POWERS OF BUILDING OFFICIAL**

**104.1 General.** Whenever the term “code official” is used in this code, it shall be construed to mean the Building Official or his authorized representative(s). The building official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges.

The building official is hereby authorized and directed to enforce all the provisions of this code. For such purposes, the building official shall have the powers of a law enforcement officer.

The building official shall have the authority to render interpretations of this code and to adopt and enforce rules and supplemental regulations to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code.

**104.2 Applications and permits.** The Building Official shall receive applications, review construction documents and issue permits, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

An application for a permit shall be considered as permission from an authorized representative to inspect the premises.

**104.3 Notices and orders.** The building official shall issue all necessary notices or orders to ensure compliance with this code.

**104.4 Inspections.** The Building Official shall make all of the required inspections, or shall have the authority to accept reports of inspection by approved agencies or individuals.

The Building Official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the

appointing authority.

**104.5 Identification.** The Building Official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

**104.6 Right of entry.** When it is necessary to make an inspection to enforce the provisions of this code, or when the building official has reasonable cause to believe that there exists in a building or upon a premises a condition that is contrary to or in violation of this code that makes the building or premises unsafe, dangerous or hazardous, the building official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

An application for a permit shall be considered as permission from an authorized representative to inspect the premises.

**104.7 Department records.** The Department of Planning and Development shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

**104.8 Liability.** The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered personally liable for damages that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of such duties. A suit brought against the building official or employee because of such act or omission performed by the building official or employee in the enforcement of any provision of such codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting therefrom shall be assumed by this jurisdiction. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

**104.9 Approved materials and equipment.** Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

**104.9.1 Used materials and equipment.** The use of used materials which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless approved by the building official.

**104.10 Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this code, the building official may grant modifications for individual cases. The building official shall first find that a special individual reason makes the strict letter of this code impractical and that the modification is in conformance with the intent and purpose of this code and that such modification does not lessen any health, accessibility, life and fire safety or any degree of structural integrity. The details of any action granting modifications shall be recorded and entered in the files of the code enforcement agency.

**104.11 Alternate materials, alternate design and methods of construction.** The provisions of this code are not intended to prevent the use of any material, alternate design or method of construction not specifically prescribed by this code, provided any alternate has been approved and its use authorized by the building official.

The building official may approve any such alternate, provided the building official finds that the proposed design is satisfactory and complies with the provisions of this code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

The building official may require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

**104.11.1 Tests.** Whenever there is insufficient evidence of compliance with any of the provisions of this code or evidence that any material or construction does not conform to the requirements of this code, the building official may require tests as proof of compliance to be made at no expense to this jurisdiction.

Test methods shall be as specified by this code or by other recognized test standards. If there are no recognized and accepted test methods for the proposed alternate, the building official shall determine test procedures.

All tests shall be made by an approved agency. Reports of such tests shall be retained by the building official for the period required for the retention of public records.

**104.12 Cooperation of other officials and officers.** The building official may

request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent law or ordinance.

## **SECTION 105 - PERMITS**

**105.1 Permits Required.** Except as specified in Section 105.2, no building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the building official.

Blasting or the use of explosives shall be permitted only in special circumstances. Such work will require an additional special blasting permit, issued by the Fire Chief with the approval of the Building Official.

Bars, grilles, grates or similar devices installed on emergency escape or rescue windows, doors or window wells shall require a permit. (See Fire Code Section 1027.5.)

Replacement of glass in existing frame shall comply with Sections 105.2.1 and 3405. Replacement of a window frame or sash, shall require a permit and comply with the applicable provisions of the Energy Code, the Minimum Building Standards Code and this code.

**105.2 Work Exempt from Permit.** A building permit shall not be required for the following:

1. (deleted)
2. Fences not over 6 feet high and open wire fences without slats up to 8 feet high. In addition, both heights may have barbed wire, when installed in accordance with City Code, added above the 6 and 8 feet dimension.
3. Oil derricks.
4. Retaining walls which are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids. (Retaining walls placed in succession shall be considered one wall if, upon drawing a line from the bottom of the footing of the lower wall at a 45 degree angle up and towards the higher wall, the line intersects the higher wall or any material retained by the wall at any point.)
5. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
6. Platforms, walks and decks not more than 6 inches above grade and not over any basement or story below.
7. Painting, papering, tiling, carpeting, cabinet replacement, counter top replacement, and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a single Group R, Division 3 Occupancy



in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons.

10. (deleted)
11. Swings and other playground equipment accessory to a single Group R, Division 3 Occupancy.
12. Window awnings supported by an exterior wall of Group R, Division 3, and Group U Occupancies when projecting not more than 54 inches.
13. Movable cases, counters and partitions not over 5 feet 9 inches in height.
14. Roof repairs on Group R, Division 3 and their accessory structures. For the purpose of this section, roof repairs shall include the repair and replacement of the material above, but not including, the decking material, lathing boards or sheathing boards.
15. Demolition of a structure by the State of Texas for highway widening purposes.
16. Flammable liquid tanks when a Fire Department permit has been issued; except that foundations for said tanks shall require a building permit.
17. Freestanding satellite dishes not exceeding one meter in diameter that do not exceed 12 feet in height.

Unless otherwise exempted, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

**Exception:** When an umbrella Building Permit is issued for new construction or addition to one- and two-family dwellings and townhomes, under the Residential Code, or as an R-3 under this code, and which contain a fireplace under that Building Permit, separate fireplace permits shall not be required.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

**105.2.1 Repairs.** Application for permit is not required for ordinary repairs to structures. Such repairs shall not include the cutting away or adding of any wall, partition or portion thereof, the adding to, removal or cutting of any structural beam or load-bearing support, or the removal or change of any means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include any other work affecting public health or general safety.

**105.3 Application for Permit.** To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by address and by legal description, or similar description, that will readily identify and definitely

- locate the proposed building or work.
3. Indicate the use or occupancy for which the proposed work is intended.
  4. Be accompanied by plans, diagrams, computations and specifications and other data as required in Section 106.
  5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
  6. Be signed by the applicant, or the applicant's authorized agent.
  7. Give such other data and information as may be required by the building official.

An application for a permit shall be considered as permission from an authorized representative to inspect the premises.

**105.3.1 Action on application.** If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application.

**105.3.2 Expiration of Plan Review.** Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

**105.3.3 Group R, Division 3 and accessory structures.** Permits for the remodel or addition to Group R, Division 3 Occupancies or their accessory structures, shall only be issued to individuals or contractors registered in accordance with Section 116 of this code.

**Exception:** The property owner, where the work that requires a permit is being performed by the owner only, need not be registered.

**105.4 Validity of permit.** The issuance or granting of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

The issuance of a permit based on plans, specifications and other data shall not prevent the building official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of this jurisdiction.

**105.5 Expiration.** Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work

authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee and comply with all codes and ordinances applicable at that time.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once.

**105.6 Suspension or revocation.** The building official may, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this code.

**105.7 Inspection card.** For the required inspection card on the construction site, see Section 109.1.1.

## **SECTION 106 – CONSTRUCTION DOCUMENTS**

**106.1 Submittal documents.** Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit. When such plans are not prepared by an architect or engineer, the building official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The building official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by state law.

**Exception:** The building official may waive the submission of plans, calculations, construction inspection requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

Retaining walls for which a permit is required shall require the submittal of plans that are prepared by an engineer licensed by the state to practice as such.

**106.1.1 Information on plans and specifications.** Plans and specifications shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

Plans for buildings of other than Group R, Division 3 and Group U Occupancies shall indicate how required structural and fire-resistive integrity will be maintained where penetrations will be made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems.

**106.1.2 Means of egress.** The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code.

**106.2 Site plans.** The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street location, and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey, or plat when required. The Building Official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

**106.3 Examination of documents.** The application, plans, specifications, computations and other data filed by an applicant for a permit shall be reviewed by the building official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the building official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and other pertinent laws and ordinances, and that the fees specified in Section 108 have been paid, the building official shall issue a permit therefore to the applicant.

**Exception:** When plan review is performed by a Third Party Organization as specified in Section 111, the Building Official, at his discretion, may only review what he deems necessary to insure a quality control of the review already performed.

**106.3.1 Approval of construction documents.** When the building official issues the permit where plans are required, the building official shall endorse in writing or stamp the plans and specifications APPROVED. Such approved plans and specifications shall not be changed, modified or altered without authorizations from the building official, and all work regulated by this code shall be done in accordance with the approved plans.

One set of construction documents so reviewed shall be retained by the Department of Planning and Development. The other set of approved plans and specifications shall be

returned to the applicant, said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress, and shall be made available to city staff upon request.

**106.3.2 Phased approval.** The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

#### **106.3.4 Architect or engineer of record.**

**106.3.4.1 General.** When it is required that documents be prepared by an architect or engineer, the building official may require the owner to engage and designate on the building permit application an architect or engineer who shall act as the architect or engineer of record. If the circumstances require, the owner may designate a substitute architect or engineer of record who shall perform all of the duties required of the original architect or engineer of record. The building official shall be notified in writing by the owner if the architect or engineer of record is changed or is unable to continue to perform the duties.

The architect or engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

**106.3.4.2 Deferred submittals.** For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period. Deferral of any submittal items shall have prior approval of the building official. The architect or engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the building official.

Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

**106.4 Amended construction documents.** Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

**106.5 Retention of plans.** One set of approved plans, specifications and computations shall be retained by the building official for a period required for retention of public records.

**106.6 Residential Master Plans.** All Master Plans on file with the Building Inspection Department will be considered obsolete with the adoption of this code. Unless picked up by the owner within 90 days after the effective date of this code, those plans may be disposed of. Home builders may submit new master plans after the effective date of this code.

When Master Plans are registered with the Building Official for use with an expedited permit issuance program, the applicant shall pay a nonrefundable registration fee per plan as specified in Table No. 1-B.

## **SECTION 107 – TEMPORARY STRUCTURES AND USES**

**107.1 General.** The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service as specified in Section 107.3.

**107.2 Conformance.** Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation, energy and sanitary requirements of this code, as deemed appropriate by the building official and Fire Chief, as necessary to ensure the public health, safety and general welfare.

**107.3 Certificate of Occupancy.** A Temporary Certificate of Occupancy for a period up to but not to exceed 24 months may be issued by the Building Official for a structure under this section, provided:

1. The location and utilities meet all other ordinances of the city.
2. The area of the structure does not exceed 2,500 square feet.
3. The Temporary Certificate of Occupancy is issued to a specific applicant and is not transferable.

Upon a separate application, the Construction and Fire Prevention Board of Appeals may extend the Temporary Certificate of Occupancy originally granted beyond the 24-month period of time, not exceeding a time period of 12 months, provided the Building Official has certified that the structure is being maintained as approved under the original conditions of the Temporary Certificate of Occupancy.

A Temporary Certificate of Occupancy for a specific event in any building may be issued by the Building Official, in concurrence with the Fire Chief, when deemed to be in compliance with Section 107.2.

**107.4 Termination of approval.** The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

## **SECTION 108 - FEES**

**108.1 General.** A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

**108.2 Schedule of permit fees.** Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by the jurisdiction.

**108.2.1 Building Permit Fees.** The fee for each permit shall be as follows:

1. For Remodel Work, the fee shall be as set forth in Table No. 1-A;
2. For New Construction or New Addition, the fee shall be as set forth in Tables No. 1-C-1 through 1-C-4 dependent upon the Use Group involved. Buildings with multiple use groups shall be divided and charged the applicable fee per use group. Shell buildings shall be charged a fee based upon the expected use group of the building with no reduction for being a shell.
3. When work involves both remodel and new construction/addition, the fee for the remodel will be based upon the remodel value and the fee for the new construction/addition shall be based upon square footage.
4. Other fees shall be as specified in Table No. 1-B. At the time of application, along with any other fees required, a non-refundable permit application fee as specified in Table No. 1-B shall be required.

**EXCEPTIONS:** 1. Buildings or structures owned and occupied by a Federal, State, or County entity on property owned by the Federal, State, or County entity shall be exempt from the permit fees. This exception does not apply to public school districts or county community colleges.

2. Work by non-City personnel on property under the control of the City of Fort Worth shall be exempt from the permit fees only if the work is for action under a contract that will be or has been approved by City Council with notes in the contract packages stating the fee is waived.

3. Work by City personnel on property under the control of the City of Fort Worth shall be exempt from the permit fees only if the application is accompanied by a copy of the work order for the project.

4. When the project is to be plan reviewed or inspected by an approved third party organization as described in Section 111, the fee shall be reduced as follows:

- a. When plan review and field inspections are performed by Third Party, the permit fee shall be reduced by multiplying the sum by

25% (0.25). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

- b. When plan review is performed by Third Party with field inspections performed by City Staff, the permit fee shall be reduced by multiplying the sum by 70% (0.70). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.
- c. When plan review is performed by City Staff with field inspections performed by Third Party, the permit fee shall be reduced by multiplying the sum by 55% (0.55). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

However, an additional 10% deposit of the building permit fee for new construction and additions with plumbing work shall be required to cover third party plumbing inspections, except that for new one- and two-family dwellings inspected by third party, a flat deposit of eighty dollars (\$80.00) shall be collected. Such deposit shall be used to pay, through a billing process established by the Planning and Development Department, for the plumbing inspection services performed.

Exemption or reduction of the permit fees under this section shall not waive the requirements to pay a full investigation fee for doing work without a permit as required under Section 108.4.2.

**108.2.2 Demolition and Moving Permit Fees.** Movement and demolition of buildings and structures shall comply with Chapter 7, Article VII of the City Code and with the provisions of this code. Before a moving permit is issued, the following steps must be completed:

- 1. Obtain an Ordinance Inspection on the structure to be moved.
- 2. Obtain a Building Permit for installation of the structure at it's proposed final site location.

The fee for each Demolition or Moving permits shall be based upon the gross square footage as set forth in Table No. 1-B. At the time of application, along with any other fees required, a permit application fee as specified in Table No. 1-B shall be required.

**Exceptions:** 1. The fees for demolition will not be required for buildings ordered demolished by the City of Fort Worth.

2. The fees for moving will not be required for those applicants meeting exceptions 2 or 3 of Section 108.2.1.

3. The fees for demolition will not be required for those applicants meeting exceptions 1, 2 or 3 of Section 108.2.1.



**108.2.3 Change of Occupancy.** A special building permit shall be required for a Change of Occupancy as specified in Section 3406. The fee shall be as set forth in Table No. 1-B and shall cover all plan review deemed necessary by the Building Official. At the time of application, along with any other fees required, a permit application fee as specified in Table No. 1-B shall be required. If it is determined that repairs requiring a standard building permit are necessary to comply with the occupancy change, this same permit may be used as the building permit. The fees will be adjusted to the appropriate amount for a building permit except that the original Change of Occupancy fee shall not be reduced.

**Exception:** The permit fees will not be required for those applicants meeting exceptions 1, 2 or 3 of Section 108.2.1.

**108.2.4 Ordinance Inspection.** An Ordinance Inspection shall be required in which a billing or meter change occurs for gas, water or electrical services.

**Exception:** Individually metered dwellings and dwelling units.

Ordinance Inspections may be used for any miscellaneous inspection whether required by other codes and ordinances or desired by individuals.

The fee for an Ordinance Inspection shall be that as specified in Table No. 1-B dependent upon which type of inspector is required because of the nature of the existing equipment or proposed use to be made.

**Exception:** The fee will not be required for those applicants meeting exceptions 1, 2 or 3 of Section 108.2.1.

An Ordinance Inspection, whether passed or failed, in which no action, including but not limited to obtaining a certificate of occupancy, repairing, or changing the billing, is taken within 60 days, shall be considered expired and a new Ordinance Inspection with the appropriate fees will be required to continue any action.

**108.2.5 Letters.** A fee shall be paid as specified in Table No. 1-B for all encroachment variance letters and all zoning verification letters.

**108.2.6 Change of Record.** Any request for a record change, or any mistake made by an applicant that requires a record change, including but not limited to name or address changes, whether computer or paper record, must be requested in writing with a fee as specified in Table No 1-B.

**Exceptions:** 1. For record changes that affect the permit fee, such as adding equipment, fixtures or square footage, the Building Official may require a separate permit for the extra items with the appropriate fee.

2. The fee will not be required for those applicants meeting exception 3 of Section 108.2.1.

**108.2.7 Temporary Vendors.** Temporary vendors required to obtain a Vendor Certificate of Occupancy as determined by the Zoning Ordinance shall pay the fee as specified in Table 1-B. The payment of the fee shall be as follows:

1. The fee shall cover the inspection process to approve a new vendor application except as listed below.
2. The Vendor Certificate of Occupancy must be renewed annually. The fee specified in Table 1-B shall be required for each renewal of the Vendor Certificate of Occupancy to cover the cost of re-inspection.
3. The Vendor Certificate of Occupancy is only valid for the vendor listed. Any change in vendors will require a new application, a new Vendor Certificate of Occupancy and the payment of a new fee.
4. A separate permit and associated permit fee as specified in the appropriate code for the installation of an electrical service or a water service shall be obtained and paid by the applicant with any vendor application that includes such service. The payment of these required fees is in addition to the Vendor Certificate of Occupancy fee specified in Table No. 1-B.

**108.2.8 Plan Review Fees.** When a plan or other data are submitted for review, a non-refundable plan review deposit shall be paid at the time of application. Said plan review deposit shall be as specified in Table No. 1-B.

**EXCEPTIONS:** 1. The deposit will not be required for those applicants meeting exceptions 1, 2 or 3 of Section 108.2.1.

2. The deposit will not be required for additions and remodels to existing Group R-3 Occupancies, and for additions, remodels or new construction of their accessory structures. It shall be required for new construction of Group R-3 Occupancies.

3. When the project is to be plan reviewed by an approved third party organization as described in Section 111, the plan review deposit shall be reduced as noted on Table No. 1-B.

The original plan review deposit paid will be credited to the cost of the building permit fee at the time the building permit is issued and the remaining fee is paid. If the permit fee is less than the required deposit, the required deposit shall be the minimum permit fee.

Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate shown in Table No. 1-B. The fee, including the minimum, shall be charged at each request for additional review.

**EXCEPTIONS:** 1. The fee will not be required for those applicants meeting exceptions 1, 2 or 3 of Section 108.2.1.

2. The fee will not be required for additions and remodels to existing Group R-3 Occupancies, and for additions, remodels or new construction of their accessory structures. It shall be required for new construction of Group R-3 Occupancies.

3. When the original plan review was performed under the third party option, only a \$15.00 filing fee shall be charged for each separate submittal. This filing fee shall only be applicable to the Building, Electrical, Mechanical, Plumbing and Energy submittals. Changes in other plans, e.g. site, landscaping, fire, civil, water service, etc. will be charged the fee as shown in Table No. 1-B.

When trade permits are issued under an umbrella permit, the additional plan review fee shall apply to all plans including those for other trades.

**108.3 Building permit tables and valuations.** The applicant for a permit shall provide an estimated permit value at time of application. The determination of value or valuation under any of the provisions of this code, or the determination of the applicable Use Group, shall be made by the Building Official. The value to be used in computing the building permit fee shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

**Exception:** When other than new construction or addition, individual permit fees shall be required per trade. The building permit fee will be based upon the valuation as determined by the Building Official for that work only. The fee for other trade permits will be subject to the appropriate codes.

When the value of work presented appears to be less than the amount of work being permitted, the Building Official may request acceptable bid price documentation.

#### **108.4 Investigation Fees: Work without a Permit.**

**108.4.1 Investigation.** Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

**108.4.2 Fee.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Use of the third party plan review or inspection option, will not reduce or lower the investigation fee required by this section.

The applicant may appeal the amount of an investigation fee to the city council by filing a written appeal showing the reasons why the fee should be lowered. The city council may, upon a finding that the investigation fee is unreasonable based upon the facts presented, reduce the investigation fee, but in no case may the fee be reduced to less than the actual investigation costs incurred by the city.

**108.5 Related fees.** The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that prescribed by law.

For Reinspections Fees, see Section 109.3.11.

**108.6 Fee Refunds.** The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The Building Official may authorize the refunding of not more than 95 percent of any permit fee required by this code when no work has taken place provided the request for refund is in writing from the applicant, accompanied with the original receipt and request is made not later than 180 days after the date of application or permit issuance.

**EXCEPTIONS:** 1. The 180 day time frame may be extended by the Building Official to coincide with any extension authorized under Sections 105.3.2 or 105.5.

2. When the investigation fee of Section 108.4.2 has been collected, it shall not be refunded unless paid by another party nor shall it be considered when calculating the 95 percent or the minimum of Exception 4.

3. No refund will be given for the application fee or the plan review deposit.

4. The building Official shall retain the application fee **plus** the largest of the following:

- (a) 5% of the permit fee; or,
- (b) the plan review deposit; or,
- (c) 50 dollars (\$50.00).

**108.7 Administrative Hold.** Any administrative discrepancy including but not limited to, delinquency in payments, returned checks, failure to pay for reinspection, investigation or registration fees, and failure to keep registration, insurance or bond up-to-date, may result in a hold being placed on issuance of permits and performance of inspections of existing permits until the administrative discrepancy is corrected. For the purpose of this section, the term “up-to-date” shall mean that whenever any of these items are required by this or any other ordinance to obtain a permit covered by this code, it shall be maintained current and in effect until the permit is finalized.

## **SECTION 109 - INSPECTIONS**

**109.1 General.** All construction or work for which a permit is required shall be subject to inspection by the building official and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. In addition, certain types of construction shall have special inspections, as specified in Section 1704.

**Exception:** When approved by the Building Official, the inspection process as required by this code may be performed by an approved Third Party Organization as specified in Section 111.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

**109.1.1 Inspection Record Card.** Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder shall have posted or otherwise made available an inspection record card such as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.

**109.2 Preliminary inspection.** Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

An application for a permit shall be considered as permission from an authorized representative to inspect the premises.

**109.3 Required Inspections.** The building official, upon notification, shall make the inspections set forth in the following sections.

**109.3.1 Footing and foundation inspection.** To be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. All materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with

approved nationally recognized standards, the concrete need not be on the job. Where the foundation is to be constructed of approved treated wood, additional inspections may be required by the building official.

**109.3.2 Concrete slab or under-floor inspection.** To be made after all in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

**109.3.3 Lowest floor elevation.** In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification, when required, shall be submitted to the building official.

**109.3.4 Frame inspection.** To be made after the roof, all framing, fire blocking and bracing are in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing, and heating wires, pipes and ducts are approved.

**109.3.5 Steel and structural framework.** Reinforcing steel or structural framework of any part of any building or structure, including those items of Section 109.3.1 and 109.3.2, shall not be covered or concealed without first obtaining the approval of the building official.

**109.3.6 Fire-resistant penetrations.** Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

**109.3.7 Energy efficiency inspections.** Inspections shall be made to determine compliance with the Energy Code and shall include, but not be limited to, inspections for: envelope insulation  $R$  and  $U$  values, fenestration  $U$  value, duct system  $R$  value, and HVAC and water-heating equipment efficiency.

**109.3.8 Other inspections.** In addition to the called inspections specified above, the building official may make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws which are enforced by the code enforcement agency.

**109.3.9 Special Inspections.** For special inspections, see Section 1704.

**109.3.10 Final inspection.** To be made after finish grading and the building is completed and ready for occupancy.

After approval of a final inspection, the applicant or tenant shall have 60 days in which to obtain a Certificate of Occupancy. Where no such action to obtain a Certificate of Occupancy is taken within 60 days, an Ordinance Inspection with the appropriate fees will be required to continue any action.

**109.3.11 Reinspections.** A reinspection fee may be assessed for each inspection or

reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

To obtain a reinspection, the applicant shall file an application therefor in writing on a form furnished for that purpose and pay the reinspection fee in accordance with Table 1-B or as set forth in the fee schedule adopted by the jurisdiction.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

**Exception:** The fee will not be required for those applicants meeting exception 3 of Section 108.2.1.

**109.4 Inspection agencies.** The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability. For Third Party inspections, see Section 111.

**109.5 Inspection Requests.** It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the building official. It shall be the duty of the person requesting any inspections required by this code to provide access to and means for inspection of such work.

**109.6 Approval Required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate that portion of the construction is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official. There shall be a final inspection and approval of all buildings and structures when completed and ready for occupancy and use.

**109.6.1 Covered work.** Any work covered or concealed without inspection shall be

considered to constitute an unsafe structure and subject to the corrective provisions of Section 115. Such consideration as an unsafe structure shall exist every day until the work is inspected and approved as being in compliance with this code. Inspections will not be performed until a valid active permit is obtained in accordance with this code.

## **SECTION 110 - CERTIFICATE OF OCCUPANCY**

**110.1 Use and Occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefor as provided herein.

**Exception:** Group R, Division 3 and their associated accessory Group U Occupancies.

Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

**110.1.1 Change in Use.** Changes in the character or use of a building shall not be made except as specified in Section 3406 of this code.

**110.2 Certificate Issued.** After the Building Official inspects the building or structure and finds no violations of the provisions of this code or other laws which are enforced by the code enforcement agency, the Building Official or his deputies shall issue a Certificate of Occupancy which shall contain the following:

1. The permit number.
2. The address, legal description and zoning of the location.
3. The use and occupancy classification.
4. The occupant load.
5. The construction type.
6. The name of the issuing individual.
7. The name of the Building Official.
8. The name and address of the owner.
9. A statement that the described portion of the building has been inspected for compliance with the requirements of this code for the group and division of occupancy and the use for which the proposed occupancy is classified.
10. A statement that S-2 high piled combustible storage will be annotated as S2-H.

For existing uses required to obtain a Certificate of Occupancy to comply with Section 3417, the Building Official may issue a certificate where evidence is provided showing the building complied with the ordinances in effect at the time of construction or



last occupancy. The Building Official, at his discretion, may accept documents, including but not limited to, old permits, old Certificate of Occupancies, affidavits, tax records and business records as evidence.

**110.2.1 Posting.** The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the building official.

**110.3 Temporary Certificate.** If the building official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, a temporary certificate of occupancy may be issued for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure.

For Temporary Structures and Uses, see Section 107.

**110.4 Revocation.** The building official may, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this code whenever the certificate is issued in error, or on the basis of incorrect information supplied, or when it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

In addition, where any unsafe condition results from the use of any utilities in noncompliance with said Certificate of Occupancy or this code, the Building Official may order, in writing, that such utilities be disconnected.

## **SECTION 111 - THIRD PARTY PLAN REVIEW AND INSPECTION**

**111.1** When approved by the Building Official, Third Party Organizations may be permitted to perform the plan review and/or field inspection provisions of this code. When authorized to perform services, the Third Party Organization shall comply with the provisions of this section.

### **111.2 Plan Review.**

**111.2.1** Performance of plan review by a Third Party Organization shall not exempt or otherwise relieve the owner and/or other parties from the submittal for a permit with the appropriate plans as prescribed in this code.

**111.2.2** Along with the submittal of plans, documents as required by the Building Official shall also be submitted with the following information:

1. Name of the Third Party Organization and all individuals involved in the plan review.
2. Listing of the plan review results including but not limited to the construction type, occupancy group, occupant load, area calculations, story calculations, height

- measurements, and exiting calculations.
3. Other information as required by the Building Official.

### **111.3 Field Inspections.**

**111.3.1** Whenever the owner/builder wishes to use a Third Party Organization for field inspection, he shall submit the appropriate forms to the Building Official for approval before inspections commence. The Building Official shall review the application to confirm that the chosen Third Party Organization is approved and has all required insurance.

**111.3.2** The Building Official shall have a right to make periodic site visits, at his discretion, to review and inspect the work under construction. Whenever possible, the Building Official will attempt to coordinate such visits with the Third Party Organization.

**111.3.3** The Building Official shall maintain full interpretation authority of all affected codes as well as the authority to require corrections, including, but not limited to, notices, stop work orders and/or citations.

**111.3.4** The project may proceed with construction only upon approval of the Third Party Organization after performing the inspections as required by this code or as otherwise required by the Building Official. If, upon review, the Building Official believes that compliance with all applicable codes has not been achieved, the Building Official shall retain the right to require corrections. If corrections are required, the owner/builder and Third Party Organization may propose methods of correction that do not require uncovering of completed work. However, the Building Official may require uncovering of completed work after consideration of the extent of the work involved versus the level of compliance needed and then only as a last resort when the Building Official determines that the proposed methods of correction will not result in adequate compliance.

**111.3.5** The Third Party Organization shall issue to the owner/builder and the Building Official a formal inspection report for each inspection completed, verifying either that the work inspected is in compliance with this code or specifically detailing corrections necessary to bring such work into conformance with said codes and regulations.

**111.3.6** The Third Party Organization shall notify the Building Official if, at any time, the owner/builder fails to correct construction deficiencies as noted or if the owner/builder covers work prior to inspection or otherwise hinders the ability of the Third Party Organization to perform required inspections.

**111.4 Insurance.** The Third Party Organization shall obtain and maintain insurance coverage as prescribed by the Building Official.

**111.5 Indemnification.** The Third Party Organization, the builder and the owner shall execute an indemnification agreement in a form approved by the City Attorney.

**111.6 Conflict of Interest.** The licensed architect, registered engineer, or other authorized person, entity or corporation who prepared or supervised preparation of the project plans and/or specifications, along with, the owner, builder, subcontractor, their agents, officers and employees shall not be associated in any way with the Third Party Organization.

**111.7 Qualifications.** The Third Party Organization shall submit documents, as required by the Building Official, to show adequate training, knowledge and/or certification in the fields upon which service is to be rendered. The Building Official shall review the documents along with proof of required insurance and all required executed agreements. If in compliance, the Building Official shall approve the Third Party Organization.

If not approved, or if approval is revoked for just cause by the Building Official, the Third Party Organization may appeal to the Construction and Fire Prevention Board of Appeals. Just cause may include but not be limited to violation of any provision of this ordinance, loss or expiration of required insurance, violation of the conflict of interest provision or any action that may result in the questioning of qualifications.

**111.8 Certificate of Occupancy.** A Certification of Occupancy shall be issued, when necessary, by the Building Official upon completion of all requirements specified above and, upon completion of all requirements of any other affected department of the City. Such completion shall be determined upon the submittal of all inspection reports by the Third Party Organization noting that all required construction inspections have been approved and after the Building Official has performed and approved a final inspection when deemed necessary.

**111.9 Violations.** A Third Party person or individual who violates, or assists in the violation, of this code shall be subject to the penalties as prescribed in Section 113.

## **SECTION 112 - CONSTRUCTION AND FIRE PREVENTION BOARD OF APPEALS**

**112.1 General.** The City Council finds that there is a need to provide the citizens of the City of Fort Worth, Texas, with safe, affordable, and well constructed housing, commercial buildings and other structures in which these citizens can work, play and live. It is the specific intent of the City Council that standards for construction and fire prevention be used for the welfare and safety of the City's citizens. The City Council finds that construction and fire prevention standards change from time to time and that these standards should stay current with modern practices of construction and fire safety.

In carrying out these purposes, it is the intent of the City Council that such construction and fire prevention standards be adopted as outlined herein and that a Construction and Fire Prevention Board of Appeals be given cognizance over matters pertaining thereto.

It is the intent of the City Council that compliance with the construction and fire prevention standards contained herein is the responsibility of the citizens and business to which they apply; and that neither the Construction and Fire Prevention Board of Appeals nor the City of Fort Worth, its officers, agents and employees, shall be liable or responsible for any errors or omissions arising out of the enforcement or failure to enforce these standards.

**112.2 Creation of Board.** The City Council hereby establishes a Construction and Fire Prevention Board of Appeals (the Board) for the purpose of determining the acceptability and adequacy of materials, equipment, and methods of construction, hearing appeals of interpretations by designated officials, consideration of variance requests, and other designated authority as listed herein or elsewhere in the City Code. The City Council shall adopt construction and fire prevention standards which will be applicable throughout the City. Construction and fire prevention standards shall include but not be limited to the Building Codes (Building, Energy, Residential, Electrical, Mechanical and Plumbing Codes), the Minimum Building Standards Code, the Sign Code, and the Fire Code as may be adopted by the City Council and amended from time to time.

**112.3 Composition of Board; Appointment of Members.** The Board shall consist of nine (9) members, with two (2) alternate members, to be appointed in the following manner:

- |          |  |
|----------|--|
| Place 1. | Architect – Nominated by the Fort Worth Chapter of the American Institute of Architects  |
| Place 2. | Engineer (with Mech/Elec/Plum, or structural background) – Nominated by the Fort Worth Branch of the Texas Society of Professional Engineers |
| Place 3. | Fire Protection Engineer or Fire Protection Professional – Nominated by the City Manager   |
| Place 4. | Building Owner or Manager – Nominated by the Building Owners and Managers Association of Fort Worth  |
| Place 5. | General Contractor – Nominated by the Fort Worth Chapter of the Associated General Contractors   |
| Place 6. | Master Electrician – Nominated by the City Manager <sup>1</sup>  |
| Place 7. | Master Plumber – Nominated by the City Manager <sup>2</sup>  |
| Place 8. | HVAC contractor – Nominated by the City Manager <sup>3</sup>   |

Place 9. Home Builder – Nominated by the Fort Worth Home Builder’s Association

At-large Alternates

Place 10. Engineer (with Mech/Elec/Plum, or structural background) – Nominated by the Fort Worth Branch of the Texas Society of Professional Engineers

If unable to fill with these qualifications, may also be a Fire Protection Engineer or professional, preferably with Hazardous Materials experience, nominated by the City Manager

Place 11. Architect – Nominated by the Fort Worth Chapter of the American Institute of Architects

<sup>1</sup> Before forwarding recommendation to City Council, the City Manager shall allow for comments from the local chapters of National Electrical Contractors Association and Independent Electrical Contractors Association concerning any objections to the recommendation.

<sup>2</sup> Before forwarding recommendation to City Council, the City Manager shall allow for comments from the local chapter of Plumbing-Heating-Cooling Contractors Association concerning any objections to the recommendation.

<sup>3</sup> Before forwarding recommendation to City Council, the City Manager shall allow for comments from the local chapters of Air Conditioning Contractors of America and Refrigeration Service Engineers Society concerning any objections to the recommendation.

The City Manager shall appoint members, or alternate members, to the Board from time to time subject to the consent of the City Council. If nominations are not received from nominating organizations within 45 days of the date when requested, the City Manager may entertain nominations from other sources.

Whenever any reference to the Building Code Board of Appeals, the Electrical Board, the Mechanical Board, or the Plumbing Board is made in any ordinance adopted prior to this ordinance, such reference shall be deemed to refer to the Construction and Fire Prevention Board of Appeals as created herein.

All members, upon being sworn in, shall become officers of the City of Fort Worth. Members must be citizens of the City of Fort Worth.

**112.4 Terms of Members.** Members, and alternate members, shall serve two year terms. Members, and alternate members, appointed to odd numbered places shall serve terms which expire October 1 of odd numbered years. Members, and alternate members, appointed to the even numbered places shall serve terms which expire October 1 of even numbered years. No member, or alternate member, shall serve more than a total of three consecutive two-year terms. After a break in service of at least two years, a member or alternate member may again be eligible to serve. Members, and alternate members, shall serve until their successors are appointed.

**112.5 Successors; Removal from Office.** Should any member, or alternate

member, of the Board die, become unable to act for any reason, resign or be removed for cause, as hereinafter provided, the City Manager shall appoint a successor to fill the unexpired term or to serve until a new member, or alternate member, can be duly appointed. An alternate member shall automatically move to fill a vacant member position of the same category, provided he has not exceeded the totally number of years allowed to serve.

The City Council may remove any member, or alternate member, of the Board during the term of which he may be appointed. The action of the City Council in such matters shall be final.

**112.6 Compensation of members.** All members, and alternate members, shall serve without compensation, except for reimbursement for authorized expenses attendant to the performance of their duties.

**112.7 Ex-Officio Members.** The Building Official and the Fire Chief or their designated representatives shall be ex-officio members of the Board. The Building Official shall serve as the Secretary of the Board. The Secretary will submit a report by October 31 of each year which shall contain an overview of the past fiscal year's operation.

**112.8 Meetings; Quorum.** All meetings of the Board shall be open to the public as provided by law. The Board shall hold meetings as regularly scheduled, unless canceled, and at such time and place as called by the Chairman or one lawfully acting in that capacity.

Six (6) members of said Board shall constitute a quorum to transact business. Every matter before the Board for vote shall require for final passage the affirmative vote of a majority of the members present and voting; except that variances shall require the affirmative vote of five (5) members to grant a variance. Members present, including the Chair, shall vote unless required to abstain due to conflict of interest.

As At-large alternates, alternate members may fill in for any absent member or vacant position. When only one alternate is needed, the Chair may determine which alternate may substitute at any particular meeting, giving fair rotation between alternate members. The chosen alternate shall serve for the entire meeting.

Alternate members may participate in discussions, but may not vote or be counted as part of the quorum; except that when filling in for a vacant position, in the absence of any other member or when any other member is required to abstain, the designated alternate member may be counted and allowed to vote in that members place.

Ex-officio members may not vote and do not count toward a quorum.

**112.9 Hearing.** The Board shall fix a reasonable time for the hearing of an appeal and shall give notice of said hearing in writing to the parties in interest. Parties may appear before the Board in person, by agent or by attorney. The Board may require additional data

and tests necessary for adequate decision of the appeal. The Board shall notify the appellant of its decision.

**112.10 Bylaws.** The Board shall hold an organizational meeting in October of each year, or as soon as possible thereafter, at which time it shall elect a Chairman and Vice-Chairman before proceeding to other matters of business. Alternate members may not serve as Chairman or Vice-Chairman. The Board shall establish its own rules of procedure and shall amend them from time to time as it deems necessary.

**112.11 Agenda and Records.** The agenda for the Board shall be prepared by the Secretary and shall be posted as required by law. All records and evidence pertinent to any appeal shall be transmitted to the Board prior to the hearing by delivery to the Secretary. Records of all appeals shall be kept in the office of the Building Official. The Building Official shall transmit copies of appeal records to the Fire Chief.

**112.12 Right of Appeal.** Any person, firm, company or corporation aggrieved by a decision or order of the designated code official or Fire Chief may appeal such decision or order to the Board if it falls within the Board's authority. Every appeal must be filed in writing on the form provided by staff with the Secretary within thirty (30) days from the date of the decision or order appealed from. The Board shall not consider any appeal that is filed after the thirty (30) day period. Such appeal shall contain appropriate reference to the decision or order appealed from, as well as the grounds for the appeal. At the time of filing an appeal, the appellant shall pay a non-refundable appeal fee as set forth in Table No. 1-B.

**EXCEPTION:** The fee will not be required for those applicants meeting exceptions 1, 2 or 3 of Section 108.2.1.

**112.13 Authority and Power.** The Board shall have no authority relative to the administrative provisions of any of the codes under its purview.

The Board shall have the authority and power to:

1. Hear appeals on interpretations by the Building Official on the Building Codes (Building, Energy, Residential, Electrical, Mechanical and Plumbing Codes). The Board may modify in whole or in part or may affirm the interpretation of the designated official. No interpretation shall be heard by the Board until the designated official has rendered a written interpretation. It shall be incumbent upon the designated official to render a written interpretation within thirty (30) days of receipt of written request.

2. Hear appeals on interpretations by the Fire Chief on the Fire Code. The Board may modify in whole or in part or may affirm the interpretation of the Fire Chief. No interpretation shall be heard by the Board until the Fire Chief has rendered a written interpretation. It shall be incumbent upon the Fire Chief to render a written interpretation within thirty (30) days of receipt of written request.

3. Approve alternate methods of construction and fire prevention where it is impractical to meet the adopted construction and fire prevention standards, provided that the Board finds the same degree of suitability, strength, effectiveness, fire resistance, durability, sanitation and safety exists in the alternate method as intended by the standards.

4. Approve new methods of construction and fire prevention not covered by the construction and fire prevention standards, provided that the Board finds the same degree of suitability, strength, effectiveness, fire resistance, durability, sanitation and safety exists in the new methods as intended by the standards. The Board, in approving new materials and processes, shall rely upon recognized standards or practices.

5. Determine the acceptability and adequacy of materials, equipment and methods of construction of signs. Hear appeals on interpretations by the Building Official on the Sign Code of the City of Fort Worth. The Board may modify in whole or in part or may affirm the interpretation of the Building Official. No interpretation shall be heard by the Board until the Building Official has rendered a written interpretation. It shall be incumbent upon the Building Official to render a written interpretation within thirty (30) days of receipt of written request.

6. At the request of staff or the Board, review all technical amendments to the Minimum Building Standards Code of the City of Fort Worth. Hear appeals on interpretations by the designated official on sections of the Minimum Building Standards Code that are designated as Building, Residential, Electrical, Mechanical, Plumbing or Fire Code related. The Board may modify in whole or in part or may affirm the interpretation of the designated official. No interpretation shall be heard by the Board until the designated official has rendered a written interpretation. It shall be incumbent upon the designated official to render a written interpretation within thirty (30) days of receipt of written request.

7. Grant variances to the non-administrative provisions of the Building Codes (Building, Residential (except Chapter 11, "Energy"), Electrical, Mechanical and Plumbing Codes); sections of the Minimum Building Standards Code that are designated as Building, Residential, Electrical, Mechanical, Plumbing or Fire Code related; the Fire Code; and the Sign Code, when in the opinion of the Board, and based upon the presentation of valid data, the applicable provisions are unreasonable and/or unrealistic to a particular site, building or structure. The Board shall use its good judgment in granting such variances, balancing the code requirement to protect life, health, structural safety and the reasonableness of the requirement. It shall take the affirmative vote of five (5) members to grant a variance.

8. Grant extensions of Certificates of Occupancy for Temporary Buildings, as specified in Section 107.

9. The Board may review from time to time the provisions of the respective codes and recommend any necessary changes and/or improvements to the City Council. This review shall include consideration of suggestions from industry or the public at large which shall be obtained by means of open hearing as well as through the regular channels. The



Board may make recommendations to the City Council for amendments to standards as needed throughout the year.

10. Hear appeals for revocation or denial of licenses or registrations, or the denial of permit issuance as required by the respective codes.

11. Review the qualification and testing standards of alternate examining Agencies and make advisory recommendations to the Building Official as authorized in the Electrical Code.

12. Establish and review criteria for electrical license reciprocal agreements with other cities. Approve, reject or discontinue such agreements in accordance with the Electrical Code.

**112.14 Enforcement.** The Building Official and Fire Chief shall enforce and execute all legal decisions and orders of the Board for which they are respectively responsible.

**112.15 Stay of Proceedings.** An appeal to the Board shall stay all proceedings in connection with the decision or order appealed from, unless and until the Building Official or Fire Chief shall have certified to the Board after notice of appeal has been filed that a stay would cause hazard to life or property. Any work done contrary to the order of the Building Official or Fire Chief after filing an appeal hereunder, pending the determination of such appeal, shall be subject to nullification should the order be affirmed and may not be considered by the Board as mitigating or extenuating circumstance.

**112.16 Court Review.** A person, firm, company or corporation aggrieved by a decision or order of the Board may present to a District Court a petition, duly verified, setting fourth that such decision is illegal, in whole or in part, specifying the grounds of illegality. Such petition shall be presented to the Court within ten (10) calendar days after the date of the decision of the board.

## **SECTION 113 - VIOLATIONS**

**113.1 Unlawful acts.** It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or equipment or cause or permit the same to be done in violation of this code.

**113.1.1 Unsafe buildings.** Failure to correct an unsafe building as provided for in Sections 109.6.1 or 115, shall constitute a violation of this code.

**113.1.2 Occupancy violations.** Whenever any site, building, structure or equipment therein regulated by this code or any other code is being used contrary to the provisions of

this code or any other code, the building official may order such use discontinued and the structure, or portion thereof, vacated by notice served on any person causing such use to be continued.

Such person shall discontinue the use within the time prescribed by the building official after receipt of such notice to make the site, building, structure, or portion thereof, or equipment comply with the requirements of this code.

**113.1.3 Failure to comply with notice.** Failure to comply with a notice shall be considered a violation of this code.

**113.2 Notice of violation.** The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

Citations for violations of this code may be issued without requiring the issuance of a notice. When a notice is issued, it is not necessary to reissue a notice prior to issuance of any further citations for the same violation.

**113.3 Prosecution of violation.** A notice of violation issued or served as provided by this code shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the notice of violation pertains.

If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant hereto.

**113.4 Violation penalties.** Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed Two Thousand Dollars (\$2,000.00) for all violations involving fire safety, or public health and sanitation and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this ordinance.

Each day or any portion thereof during which any violation of this ordinance occurs or continues shall be deemed a separate offense and upon conviction thereof shall be punishable as herein provided.

## **SECTION 114 – STOP WORK ORDER**

**114.1 Authority.** Whenever the building official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the building official is authorized to issue a stop work order.

**114.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

**114.3 Unlawful continuance.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

## **SECTION 115 - UNSAFE BUILDINGS, STRUCTURES OR EQUIPMENT**

**115.1 Unsafe buildings.** All buildings, structures or equipment regulated by this code that are structurally unsafe or not provided with adequate egress, or that constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Any use of buildings or structures constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use. Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members that are supported by, attached to, or a part of a building and that are in deteriorated condition or otherwise unable to sustain the design loads that are specified in this code are hereby designated as unsafe building appendages.

All such unsafe buildings, structures or appendages are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in this code or such alternate procedures as may have been or as may be adopted by this jurisdiction. As an alternative, the building official, or other employee or official of this jurisdiction as designated by the governing body, may institute any other appropriate action to prevent, restrain, correct or abate the violation.

A vacant structure that is not secured against entry shall be deemed unsafe. Materials used to secure a structure, which deteriorate or increase in susceptibility to fire hazard over time, shall be replaced or treated to eliminate the increase of the hazard.

Any work covered or concealed without inspection shall be considered to constitute an unsafe structure. Such consideration as an unsafe structure shall exist every day until the work is inspected and approved as being in compliance with this code. Inspections will not be performed until a valid active permit is obtained in accordance with this code.

**115.2 Dangerous Demolition.** The Building Official may order the cessation of the

wrecking or demolition of any building or structure within the City when the same is being accomplished in a reckless or careless manner or in such a manner so as to endanger life and property. When such work has been ordered stopped by the Building Official, same shall not be resumed until said official is satisfied that adequate precautions have been or will be taken for protection for life and property. To continue such work without the expressed approval of the Building Official shall constitute a violation of this ordinance, and each day that such work continues shall constitute a separate offense.

## **SECTION 116 - INDIVIDUAL OR CONTRACTOR REGISTRATION FOR GROUP R, DIVISION 3 OCCUPANCIES OR THEIR ACCESSORY STRUCTURES**

**116.1 General.** Each individual or business shall list its principals and an official, in its employ, who will be designated as controlling officer. The controlling officer shall be responsible for all permits obtained by him or any employee of his business. Each registered business shall notify the City of Fort Worth, in writing, of its permanent business address and the residential address of its designated official.

**116.2 Fees.** A nonrefundable registration fee as specified in Table No. 1-B shall be paid and it shall be valid for a one year period from the date of payment.

### **116.3 Individual or Contractor Identification.**

1. Each job site in which a permit is issued to a registered individual or contractor shall be identified with a sign located in the front yard or on the structure front so as to be visible to the street. The sign may not be larger than two (2) feet by two (2) feet and no smaller than one and one-half (1-1/2) feet by one and one-half (1-1/2) feet and must display the individual or contractor's business name and the registration number. The registration number shall be no smaller than two and one-half (2-1/2) inches high.

2. Signs must be posted not more than three days before construction begins, must remain posted during construction and must be removed not more than three days after the final inspection is approved by the city.

3. Signs on projects without a permit and signs put up for longer periods than what is justified by item 2 above will be considered advertising and must comply with the appropriate codes and ordinances.

**116.4 Work Performed by Employees.** All work performed under a permit to a registered individual or contractor must be performed by persons in their direct employ. For the purpose of this section, the term "direct employ" shall include individuals receiving a regular paycheck as payment for performance of duties, as well as, subcontractors for which, under the provisions of this section, the registered individual or contractor is taking responsibility for their work performance. It shall not allow for homeowners to obtain a

permit without registration but hire others to do the work.

Individuals or Contractors using their registration to permit jobs for other non-registered individuals will be considered, as well as those non-registered individuals, to be in violation of this code.

**116.5 Revocation of Registration.** Registration may be revoked by the Building Official for due cause. The Construction and Fire Prevention Board of Appeals may hear revocation appeals by applicants desiring reinstatement.

**TABLE NO. 1-A**  
**REMODEL BUILDING PERMIT FEES**  
**INCLUDES FEES FOR NEW CONSTRUCTION WITH NO SQUARE FOOTAGE**  
(Fences, swimming pools, retaining walls, etc.)

<b>TOTAL VALUATION</b>	<b>Permit Fee<sup>1, 2, 3</sup></b>	
\$0 to \$2,000.00	\$76.86 (\$46.11)*	
>\$2,000.00 to \$25,000.00	(a) \$76.86 (b) \$15.37	(a) for first \$2,000 (b) for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
>\$25,000.00 to \$50,000.00	(a) \$430.51 (b) \$11.10	(a) for first \$25,000 (b) for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
>\$50,000.00 to \$100,000.00	(a) \$708.14 (b) \$7.68	(a) for first \$50,000 (b) for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
>\$100,000.00 to \$500,000.00	(a) \$1092.53 (b) \$5.97	(a) for first \$100,000 (b) for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
>\$500,000.00 to \$1,000,000.00	(a) \$3484.33 (b) \$5.12	(a) for the first \$500,000.00 (b) for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
>\$1,000,000.00	(a) \$6047.01 (b) \$3.41	(a) for the first \$1,000,000.00 (b) for each additional \$1,000.00 or fraction thereof

\*Remodel work associated with existing R-3 Use Group or their existing accessory U Use Groups shall be charged the fee in ( ).

<sup>1</sup>When plan review and field inspections are performed by Third Party, the permit fee shall be reduced by multiplying the sum by 25% (0.25). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

<sup>2</sup>When plan review is performed by Third Party with field inspections performed by City Staff, the permit fee shall be reduced by multiplying the sum by 70% (0.70). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

<sup>3</sup>When plan review is performed by City Staff with field inspections performed by Third Party, the permit fee shall be reduced by multiplying the sum by 55% (0.55). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

**TABLE NO. 1-B**

1. CFPBOA Application Fee						
(1st item per address)	.	.	.	.	.	\$125.00
(Each additional item per address)	.	.	.	.	.	30.00
2. Permit Application Fee	.	.	.	.	.	22.00
3. Demolition and Moving Fees						
Square Footage	1 through	1,000	.	.	.	67.00
	1,001 through	2,000	.	.	.	136.00
	2,001 through	3,000	.	.	.	254.00
	3,001 through	5,000	.	.	.	381.00
	5,001 through	10,000	.	.	.	510.00
	10,001 through	20,000	.	.	.	682.00
	20,001 and above		.	.	.	1364.00
4. Change of Occupancy Permit Fee	.	.	.	.	.	72.00
5. Ordinance Inspection Fee (per inspector)	.	.	.	.	.	30.00
6. Inspection (Orange) Card Replacement	.	.	.	.	.	22.00
7. Record Change Fee (per record or permit)	.	.	.	.	.	22.00
8. Plan Review Deposit*						
those requiring circulation	.	.	.	.	.(40.00)	220.00
those without circulation	.	.	.	.	.(20.00)	85.00
9. Contractor Registration (valid for one year)	.	.	.	.	.	120.00
10. Residential Master Plan Registration	.	.	.	.	.	60.00
11. Vendor Certificate of Occupancy for Temporary Vendors	.	.	.	.	.	60.00

\*Deposit is not required for additions and remodels to existing Group R-3 Occupancies, and for additions, remodels or new construction of their accessory structures. Where the plan review is performed under the third party option, the deposit shall be the amount in ().

#### **Other Inspections and Fees:**

1. Inspections outside of normal business hours (minimum of two hours)		\$38.00 per hour
2. Reinspection fee	.	\$27.50
3. Inspections for which no fee is specifically indicated		
(minimum charge - one-half hour)	.	\$38.00 per hour
4. Additional plan review required by changes, additions or revisions		
to plans (minimum charge - one-half hour)	.	\$38.00 per hour
for 3 <sup>rd</sup> party Building, Electrical, Mechanical, Plumbing & Energy	.	\$16.50
5. Inspections outside of city limits (commercial)	.	\$49.50 <sup>1</sup> per inspector
(residential)	.	\$66.00 <sup>1</sup> total

<sup>1</sup> Or \$33.00 per hour, whichever is greater.

**TABLE 1-C-1**  
**A, B, E, H, I, & M USE GROUPS**  
**NEW CONSTRUCTION OR ADDITION**  
**BUILDING PERMIT FEES**

<b>NEW SQUARE FOOTAGE</b>	<b>Permit Fee<sup>1, 2, 3</sup></b>	
0 to 30	\$76.86 (\$46.11)*	
>30 to 400	(a) \$76.86 (b) \$0.955	(a) for first 30 square feet (b) for each additional square foot, to and including 400
>400 to 790	(a) \$430.51 (b) \$0.711	(a) for first 400 square feet (b) for each additional square foot, to and including 790
>790 to 1365	(a) \$708.14 (b) \$0.668	(a) for first 790 square feet (b) for each additional square foot, to and including 1365
>1365 to 5850	(a) \$1092.53 (b) \$0.533	(a) for first 1365 square feet (b) for each additional square foot, to and including 5850
>5850 to 18,000	(a) \$3484.33 (b) \$0.210	(a) for the first 5850 square feet (b) for each additional square foot, to and including 18,000
>18,000	(a) \$6047.01 (b) \$0.191	(a) for the first 18,000 square feet (b) for each additional square foot

\*New square footage associated with existing R-3 Use Group or their existing accessory U Use Groups shall be charged the fee in ( ).

<sup>1</sup>When plan review and field inspections are performed by Third Party, the permit fee shall be reduced by multiplying the sum by 25% (0.25). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

<sup>2</sup>When plan review is performed by Third Party with field inspections performed by City Staff, the permit fee shall be reduced by multiplying the sum by 70% (0.70). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

<sup>3</sup>When plan review is performed by City Staff with field inspections performed by Third Party, the permit fee shall be reduced by multiplying the sum by 55% (0.55). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.



**TABLE 1-C-2  
F & S USE GROUPS  
NEW CONSTRUCTION OR ADDITION  
BUILDING PERMIT FEES**

<b>NEW SQUARE FOOTAGE</b>	<b>Permit Fee<sup>1, 2, 3</sup></b>	
0 to 75	\$76.86 (\$46.11)*	
>75 to 1080	(a) \$76.86 (b) \$0.351	(a) for first 75 square feet (b) for each additional square foot, to and including 1080
>1080 to 1980	(a) \$430.51 (b) \$0.308	(a) for first 1080 square feet (b) for each additional square foot, to and including 1980
>1980 to 3365	(a) \$708.14 (b) \$0.277	(a) for first 1980 square feet (b) for each additional square foot, to and including 3365
>3365 to 24,675	(a) \$1092.53 (b) \$0.112	(a) for first 3365 square feet (b) for each additional square foot, to and including 24,675
>24,675 to 50,050	(a) \$3484.33 (b) \$0.100	(a) for the first 24,675 square feet (b) for each additional square foot, to and including 50,050
>50,050	(a) \$6047.01 (b) \$0.096	(a) for the first 50,050 square feet (b) for each additional square foot

\*New square footage associated with existing R-3 Use Group or their existing accessory U Use Groups shall be charged the fee in ( ).

<sup>1</sup>When plan review and field inspections are performed by Third Party, the permit fee shall be reduced by multiplying the sum by 25% (0.25). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

<sup>2</sup>When plan review is performed by Third Party with field inspections performed by City Staff, the permit fee shall be reduced by multiplying the sum by 70% (0.70). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

<sup>3</sup>When plan review is performed by City Staff with field inspections performed by Third Party, the permit fee shall be reduced by multiplying the sum by 55% (0.55). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

**TABLE 1-C-3  
R USE GROUPS  
NEW CONSTRUCTION OR ADDITION  
BUILDING PERMIT FEES**

<b>NEW SQUARE FOOTAGE</b>	<b>Permit Fee<sup>1, 2, 3</sup></b>	
0 to 65	\$76.86 (\$46.11)*	
>65 to 700	(a) \$76.86 (b) \$0.556	(a) for first 65 square feet (b) for each additional square foot, to and including 700
>700 to 1400	(a) \$430.51 (b) \$0.396	(a) for first 700 square feet (b) for each additional square foot, to and including 1400
>1400 to 2700	(a) \$708.14 (b) \$0.295	(a) for first 1400 square feet (b) for each additional square foot, to and including 2700
>2700 to 11,800	(a) \$1092.53 (b) \$0.262	(a) for first 2700 square feet (b) for each additional square foot, to and including 11,800
>11,800 to 24,500	(a) \$3484.33 (b) \$0.201	(a) for the first 11,800 square feet (b) for each additional square foot, to and including 24,500
>24,500	(a) \$6047.01 (b) \$0.148	(a) for the first 24,500 square feet (b) for each additional square foot

\*New square footage associated with existing R-3 Use Group or their existing accessory U Use Groups shall be charged the fee in ( ).

<sup>1</sup>When plan review and field inspections are performed by Third Party, the permit fee shall be reduced by multiplying the sum by 25% (0.25). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

<sup>2</sup>When plan review is performed by Third Party with field inspections performed by City Staff, the permit fee shall be reduced by multiplying the sum by 70% (0.70). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

<sup>3</sup>When plan review is performed by City Staff with field inspections performed by Third Party, the permit fee shall be reduced by multiplying the sum by 55% (0.55). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

**TABLE 1-C-4  
U USE GROUP  
NEW CONSTRUCTION OR ADDITION  
BUILDING PERMIT FEES**

<b>NEW SQUARE FOOTAGE</b>	<b>Permit Fee<sup>1, 2, 3</sup></b>	
0 to 175	\$76.86 (\$46.11)*	
>175 to 2500	(a) \$76.86 (b) \$0.152	(a) for first 175 square feet (b) for each additional square foot, to and including 2500
>2500 to 5200	(a) \$430.51 (b) \$0.102	(a) for first 2500 square feet (b) for each additional square foot, to and including 5200
>5200 to 10,200	(a) \$708.14 (b) \$0.076	(a) for first 5200 square feet (b) for each additional square foot, to and including 10,200
>10,200 to 46,500	(a) \$1092.53 (b) \$0.065	(a) for first 10,200 square feet (b) for each additional square foot, to and including 46,500
>46,500 to 96,500	(a) \$3484.33 (b) \$0.051	(a) for the first 46,500 square feet (b) for each additional square foot, to and including 96,500
>96,500	(a) \$6047.01 (b) \$0.041	(a) for the first 96,500 square feet (b) for each additional square foot

\*New square footage associated with existing R-3 Use Group or their existing accessory U Use Groups shall be charged the fee in ( ).

<sup>1</sup>When plan review and field inspections are performed by Third Party, the permit fee shall be reduced by multiplying the sum by 25% (0.25). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

<sup>2</sup>When plan review is performed by Third Party with field inspections performed by City Staff, the permit fee shall be reduced by multiplying the sum by 70% (0.70). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

<sup>3</sup>When plan review is performed by City Staff with field inspections performed by Third Party, the permit fee shall be reduced by multiplying the sum by 55% (0.55). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

(b) The remaining sections of the 2003 International Building Code are hereby amended as follows:

## IBC SECTION 201

\*IBC Section 201.3; changed to read as follows:

**201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in other codes, such terms shall have the meanings ascribed to them as in those codes. Where the terms occur in multiple codes and are defined differently, each definition shall apply to the appropriate code.

## IBC SECTION 202

\*Section 202; definition are changed and new definitions are added to read as follows:

**ATTIC.** The space between the ceiling beams of the top story and the roof rafters. The installation of decking, other than the minimum decking required for equipment access and maintenance, shall be considered another floor.

**BUILDING CODE.** Building Code shall mean the *International Building Code* as adopted by this jurisdiction.

**CHANGE OF OCCUPANCY.** A change in the purpose or level of activity within a building that involves a change in application of the requirements of this code. The definition shall also apply to usage of the surrounding site and access to and from the building, structure or site, as necessary to achieve the purpose of this code, and to obtain compliance with other codes and ordinances of this jurisdiction.

**CODE OFFICIAL.** Where ever the term code official is used in this code it shall mean the Building Official.

**ELECTRICAL CODE.** Electrical Code shall mean the *National Electrical Code* as adopted by this jurisdiction. For the purpose of this code, all references to NFPA 70 and the *ICC Electrical Code* shall be assumed to mean the Electrical Code as defined herein.

**DWELLING UNIT, EFFICIENCY.** See Section 310.2.

**ENERGY CODE.** Energy Code shall mean the *International Energy Code* as adopted by this jurisdiction.

**FIRE PREVENTION CODE (FIRE CODE).** Fire Prevention Code, or Fire Code, shall mean the *International Fire Code* as adopted by this jurisdiction.

**FUEL GAS CODE.** Fuel Gas code shall mean the *International Fuel Gas Code* as adopted by this jurisdiction and shall be considered as part of the Plumbing Code. (See Plumbing Code.)

**HIGH-RISE BUILDING** is a building having any floor or floors used for human occupancy located more than 75 feet (22 860 mm) above the lowest level of fire department vehicle access.

**MECHANICAL CODE.** Mechanical Code shall mean the *International Mechanical Code* as adopted by this jurisdiction.

**OCCUPIABLE SPACE.** A room or enclosed space designed for human occupancy in which individuals congregate for amusement, educational or similar purposes or in which occupants are engaged at labor, and which is equipped with means of egress and light and ventilation facilities meeting the requirements of this code. Any space that could be assumed to be occupiable shall not be exempt to the requirements of this code by designing the space without means of egress, light or ventilation.

**OCCUPIED ROOF.** Uncovered roof or roof deck, designed to be occupied for uses other than mechanical equipment or building services, including but not limited to swimming pools, dining, amusement, gardens and parking. Such areas shall be considered as another level in which an occupancy exists.

## **PLUMBING.**

For the purpose of using the *International Plumbing Code*, as adopted, shall mean:

The practice, materials and fixtures utilized in the installation, maintenance, extension and alteration of all piping, fixtures, plumbing appliances and plumbing appurtenances, within or adjacent to any structure, in connection with sanitary drainage or storm drainage facilities; venting systems, and public or private water supply systems.

For the purpose of complying with the Texas State Plumbing License Law, shall mean:

All piping, fixtures, appurtenances, and appliances, including disposal systems, drain or waste pipes, or any combination of these that:

supply, recirculate, drain, or eliminate water, gas, medical gasses and vacuum, liquids, and sewage for all personal or domestic purposes in and about buildings where persons live, work, or assemble; connect the building on its outside with the source of water, gas, or other liquid supply, or combinations of these, on the premises, or the water main on public property; and carry waste water or sewage from or within a building to the sewer service lateral on public property or the disposal or septic terminal that holds private or domestic sewage.

The installation, repair, service, maintenance, alteration, or renovation of all piping, fixtures, appurtenances, and appliances on premises where persons live, work,

or assemble that supply gas, medical gasses and vacuum, water, liquids, or any combination of these, or dispose of waste water or sewage.

**PLUMBING CODE.** Plumbing Code shall mean the *International Plumbing Code* and the *International Fuel Gas Code* as adopted by this jurisdiction. The term "Plumbing Code" applies to both codes as one combined code.

**PLUMBING SYSTEM.**

For the purpose of using the *International Plumbing Code*, as adopted, shall mean:

Includes the water supply and distribution pipes; plumbing fixtures and traps; water-treating or water-using equipment; soil, waste and vent pipes; and sanitary and storm sewers and building drains, in addition to their respective connections, devices and appurtenances within a structure or premise.

**RESIDENTIAL CODE.** Residential Code shall mean the *International Residential Code* as adopted by this jurisdiction.

## **IBC SECTION 302**

*\*IBC Section 302.1; add a sentence to the first paragraph to read as follows:*

For application of this code to uses under the Residential Code, they shall be considered to be Group R-3 residential uses with Group U accessory uses, unless a more appropriate occupancy group is assigned by the Building Official.

*\*IBC Section 302.1.1; changed to read as follows:*

**302.1.1 Incidental use areas.** Spaces which are incidental to the main occupancy shall be separated or protected, or both, in accordance with Table 302.1.1 ~~or the building shall be classified as a mixed occupancy and comply with Section 302.3.~~ Areas that are incidental to the main occupancy shall be classified in accordance with the main occupancy of the portion of the building in which the incidental use area is located.

**Exception:** Incidental use area within and serving a dwelling unit are not required to comply with this section.

*\*IBC Section 302.1.1.1; changed to read as follows:*

**302.1.1.1 Separation.** Where Table 302.1.1 requires a fire-resistance-rated separation, the

incidental use area shall be separated from the remainder of the building with a fire barrier. Where Table 302.1.1 permits an automatic fire-extinguishing system without a fire barrier, the incidental use area shall be separated by construction capable of resisting the passage of smoke in accordance with Section 710. ~~The partitions shall extend from the floor to the underside of the fire resistance rated floor/ceiling assembly or fire resistance rated roof/ceiling assembly or to the underside of the floor or roof deck above.~~ Doors shall be self-closing or automatic-closing upon detection of smoke. Doors shall not have air transfer openings and shall not be undercut in excess of the clearance permitted in accordance with NFPA 80.

### IBC TABLE 302.1.1

*\*IBC Table 302.1.1; changes are made to the items under ROOM OR AREA of "Parking garage (Section 406.2)", "Hydrogen cut-off rooms", "Paint shops", "Storage rooms", and the footnotes to read as follows:*

Parking garage (Section 406.2)	2 hours; or 1 hour and provide automatic fire-extinguishing system See Section 302.3
Hydrogen cut-off rooms, <u>not</u> classified as Group H.	1-hour fire barriers and floor/ceiling assemblies in Group B, F, H, M, S, and U occupancies. 2-hour fire barriers and floor/ceiling assemblies in Group A, E, I and R occupancies.
Paint shops, not classified as Group H, located in occupancies other than Group F <u>and S</u>	2 hours; or 1 hour and provide automatic fire-extinguishing system See Fire Code Chapter 15.
Storage rooms <u>and closets</u> over 100 square feet	

<u>Use Group B, F, M<sup>b</sup>, S, U</u>	<u>1 hour or provide automatic fire-extinguishing system (the smoke separation of Section 302.1.1.1 is not required.)</u>
<u>Use Group A, E</u>	<u>1 hour or provide automatic fire-extinguishing system</u>
<u>All other use groups</u>	1 hour

<u>Miscellaneous:</u> <u>Electrical vaults over 600 volts</u>	<u>See NEC Article 110.31 (A)</u>
--	-----------------------------------

<sup>a</sup>Where an automatic fire-extinguishing system is provided, it need only be provided in the incidental use room or area. In order to qualify with this reduction, at least one sprinkler head must be installed in the incidental use area. Areas that are exempt to sprinkler head installation under a sprinkler standard will not qualify for the reduction permitted herein unless at least one sprinkler head is installed in the incidental use area.

<sup>b</sup>Merchandise storage areas used in conjunction with wholesale or retail sales floors shall be considered as Use Group S and, unless qualifying as an Accessory Use of Section 302.2, shall be separated as a mixed occupancy in accordance with Sections 302.3.1 or 302.3.2. (Also, see Table 302.3.2, footnote b.)

Note: For structural continuity, see Section 706.4.

## IBC SECTION 302

*\*IBC Sections 302.2 and 302.2.1; changed to read as follows:*

**302.2 Accessory use areas.** A fire barrier shall be required to separate accessory use areas classified as Group H in accordance with Section 302.3.4~~2~~, and incidental use areas in accordance with Section 302.1.1. Any other accessory use area shall not be required to be separated by a fire barrier provided the accessory use area occupies an area not more than 10 percent of the area of the story in which it is located and does not exceed the tabular values in Table 503 for the allowable height or area for such use.



### 302.2.1 Assembly areas.

1. Accessory assembly areas are not considered separate occupancies if the floor area is equal to or less than 750 square feet (69.7 m<sup>2</sup>).
2. Unless a fire wall is required to separate different construction types, Assembly areas that are accessory to Group E must comply with the provisions for Group A Occupancy but are not required to install the separation of Section 302.3.2. However, for the purpose of calculating height, area, construction type and ratios may be considered as separated uses. This non-separation benefit shall not apply when determining the fire area separations of Chapter 9. ~~considered separate occupancies.~~
3. Accessory religious educational rooms, used by less than 50 persons per room for not more than four hours per day of religious observance (Sunday School) shall be considered a Group B Occupancy, and for the purpose of Section 302.3.2 are not required to be separated from religious auditoriums with occupant loads of less than 100 ~~are not considered separate occupancies.~~ However, for the purpose of calculating height, area, construction type and ratios may be considered as separated uses. This non-separation benefit shall not apply when determining the fire area separations of Chapter 9.

*\*IBC Section 302.3; add exceptions 6 to read as follows:*

6. Unless a fire wall is required to separate different construction types, Assembly uses accessory to Group E do not require the separation of Section 302.3.2. However, for the purpose of calculating height, area, construction type and ratios may be considered as separated uses. This non-separation benefit shall not apply when determining the fire area separations of Chapter 9.

*\*IBC Section 302.3a; added to read as follows:*

**302.3a. Design precedence.** When evaluating the design of a structure, the separation priority shall be as follows:

- a. **First consideration (Section 302.3, Exceptions 1, 3 and 5)** Section 302.3, Exceptions 1, 3 and 5 shall first be considered in there order listed.
- b. **Second consideration (Section 302.3, Exception 2, then Sections 302.3.1 or 302.3.2)** Any other uses may be separated under Sections 302.3.1, 302.3.2 or a combination of separated and non-separated fire areas, except that H-2, H-3, H-4 or H-5 must be separated by 302.3.2 as specified in Section 302.3, Exception 2.
- c. **Third consideration (Accessory uses)** When using Section 302.3.1 or 302.3.2, uses other than those listed under Section 302.3, Exceptions 1, 2, 3, or 5 may qualify as Accessory use areas of Section 302.2.

Note: Accessory use areas are not permitted to exceed the tabular values in Table 503 for the allowable height or area for such use.

When using the non-separated option of Section 302.3.1, the most restrictive requirement of all non-separated occupancies shall take precedence. Examples are as follows:

- i. The occupancy with the most restrictive height, area and permitted increases shall apply to all occupancies.
  - ii. When fire protection systems are required by the most restrictive occupancy, it shall apply to all occupancies.
  - iii. The occupancy with the most restrictive exit provisions shall apply to all occupancies.
  - iv. The occupancy with the most restrictive construction type, fire wall rating, fire barrier rating, fire partition rating, etc. shall apply to all occupancies.
  - v. Most restrictive is applicable on an item by item basis. One occupancy may be most restrictive for sprinklers, while another occupancy is most restrictive for area and height, while another occupancy is most restrictive for exits.
- d. **Fourth consideration (Assembly uses associated with Group E)** When using Section 302.3.2, Assembly accessory uses associated with Group E are permitted to be considered as separated, without actually being separated, as specified under Section 302.3.2, Exception 7. This permission does not apply to the fire area provisions of Chapter 9.
- e. **Fifth consideration (Accessory religious educational rooms associated with religious auditoriums with an occupant load less than 100)** When using Section 302.3.2, religious classrooms with occupant loads less than 50 that are associated with religious auditoriums with an occupant load of less than 100 are permitted to be considered as separated, without actually being separated, as specified in Section 302.2.1. This permission does not apply to the fire area provisions of Chapter 9.
- f. **Sixth consideration (Separation reductions)** When using Section 302.3.2, the actual separation may be reduced as provided for in the footnotes of Table 302.3.2 and the exception to Section 302.3.2, in that order.

#### IBC TABLE 302.3.2

*\*Table 302.3.2; add notation for footnote "f" to the use S-1 in the B, F-1 and M cross reference boxes.*

*\*Table 302.3.2, footnotes b, c and d changed and footnote f added to read as follows:*

- b. Occupancy separation need not be provided for accessory merchandise storage areas in connection with wholesale or retail sales of Use Group within Groups B and M if the:

1. The building is provided with an approved automatic sprinkler system throughout Area is less than 10 percent of the floor area, or
  2. The fire area between approved separation walls and floors, which encapsulate the complete tenant space, is provided with an approved automatic sprinkler system throughout, or
  3. The storage area Area is provided with an automatic fire-extinguishing system and is less than 3,000 square feet, or
  4. The storage area Area is less than 1,000 square feet.
- c. Areas used only for the parking of private or pleasure vehicles shall be allowed to reduce separation by 1 hour. This reduction may be used in conjunction with the reduction of Section 302.3.2, exception but shall not reduce to less than 1 hour.
- d. ~~See exception to~~ For separation reductions, see Section 302.3.2 406.1.4.
- f. Minor repair garages, as specified in Section 406.6.1.2, associated with Groups B, F-1 or M occupancies shall be allowed to reduce the separation by 1 hour. This reduction may be used in conjunction with the reduction of Section 302.3.2, exception but shall not reduce to less than 1 hour.

## IBC SECTION 303

*\*IBC Section 303.1; first paragraph changed to read as follows:*

**303.1 Assembly Group A.** Assembly Group A occupancy includes, among others, the use of a building or structure, or a portion thereof, for the gathering together of persons for purposes such as civic, social or religious functions, recreation, food or drink consumption or awaiting transportation.

1. Assembly areas with less than 750 square feet (69.7 m<sup>2</sup>) and which are accessory to another occupancy according to Section 302.2.1 are not assembly occupancies.
2. Unless a fire wall is required to separate different construction types, Assembly occupancies which are accessory to Group E in accordance with Section 302.2.1 must comply with the provisions for Group A Occupancy but are not considered assembly occupancies required to install the separation of Section 302.3.2. However, for the purpose of calculating height, area, construction type and ratios may be considered as separated uses. This non-separation benefit shall not apply when determining the fire area separations of Chapter 9. considered separate occupancies.
3. Religious educational rooms, used by less than 50 persons per room for not more than four hours per day of religious observance (Sunday School) shall be considered a Group B Occupancy, and for the purpose of Section 302.3.2 are not required to be separated from religious auditoriums which are accessory to churches in accordance with Section 302.2.1 and which have occupant loads of less than 100. However, for the purpose of calculating height, area, construction type and ratios may be considered as separated uses. This non-separation benefit shall not apply when

determining the fire area separations of Chapter 9. Religious educational rooms, used by 50 or more persons per room for not more than four hours per day of religious observance shall be classified as A-3.

## IBC SECTION 304

*\*IBC Section 304; change and add uses to read as follows:*

Educational occupancies above the 12<sup>th</sup> grade with less than 50 occupants per room

Fire stations

Food processing establishments with less than 50 occupants

Non-accessory assembly use, building or individual tenant space, used for assembly purposes by less than 50 persons.

Police stations (includes an area to confine or restrain up to five individuals)

Religious educational rooms (Sunday School classrooms), used by less than 50 persons per room for not more than four hours per day of religious observance.

## IBC SECTION 305

*\*IBC Section 305.1; changed to read as follows:*

**305.1 Educational Group E.** Educational Group E occupancy includes, among others, the use of a building or structure, or a portion thereof, by six or more persons at any one time for educational purposes through the 12<sup>th</sup> grade. Religious educational rooms, used by less than 50 persons per room for not more than four hours per day of religious observance (Sunday School) shall be considered a Group B Occupancy, and for the purpose of Section 302.3.2 are not required to be separated from religious auditoriums, which are accessory to churches in accordance with Section 302.2.1 and which have occupant loads of less than 100. However, for the purpose of calculating height, area, construction type and ratios may be considered as separated uses. This non-separation benefit shall not apply when determining the fire area separations of Chapter 9. Religious educational rooms, used by 50 or more persons per room for not more than four hours per day of religious observance shall be classified as A-3.

## IBC SECTION 307

\*IBC Section 307.4; add a new use as follows:

Aircraft paint hangars, in accordance with Section 412.4.1

\*IBC Section 307.9, item #9 and 11; changed to read as follows:

9. Refrigeration systems where the chemicals involved are in the piping, connected tanks, or overflow tanks directly connected as part of the operational system. Extra storage tanks, not directly connected as part of the operational system, are not considered part of the refrigeration system.
11. Stationary batteries utilized for facility emergency power, uninterrupted power supply or telecommunication facilities provided that the batteries are provided with safety venting caps and ventilation is provided in accordance with the *International Mechanical Code* and are separated as required by Table 302.1.1.

## IBC SECTION 308

\*IBC Section 308.2, add a new use under I-1 as follows:

State of Texas, Type A (Large facility) Assisted Living

\*IBC Section 308.3; add two new uses under I-2 as follows:

State of Texas, Type B (Large & Small facility) Assisted Living  
State of Texas, Special Care Facility

\*IBC Section 308.5.1; changed to read as follows:

**308.5.1 Adult care facility.** A facility that provides accommodations for less than 24 hours for more than five unrelated adults and provides supervision and personal care services shall be classified as Group I-4.

**Exception:** A facility where adults gather or congregate of their own accord, including but not limited to community centers, senior citizen centers, etc., where occupants are capable of responding to an emergency situation without physical assistance from the staff shall be classified as Group A-3, or Group B when permitted by Section 303.1.1.

## IBC SECTION 310

\*IBC Section 310.1, Group R-3; add a second paragraph to read as follows:

This use shall include not more than two dwelling units that are an attached part of another use, e.g. caretaker unit for self-storage facility, residence over a commercial business, etc. Unless in separate detached one- or two-family structures, structures with three or more dwelling units on a single property shall constitute a Group R-2 apartment regardless of whether divided by fire walls or party walls.

\*IBC Section 310.1; add new uses to read as follows:

### Under R-2

State of Texas, Type E (Large facility) Assisted Living

### Under R-4

State of Texas, Type A (Small facility) Assisted Living

State of Texas, Type E (Small facility) Assisted Living

\*IBC Section 310.2; add a new definition to read as follows:

**DWELLING UNIT, EFFICIENCY.** A dwelling unit containing only one habitable room.

## IBC SECTION 403

\*IBC Section 403.1, exception #3: changed to read as follows:

3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1, when used for open air seating; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants and similarly enclosed areas.

\*IBC Section 403.2, exception #2; delete.

\*IBC Section 403.12; add a sentence to read as follows:

For egress control devices (electronic locks), see Section 1008.1.3.4.

## IBC SECTION 404

*\*IBC Section 404.1.1; change definition of "Atrium" to read as follows:*

**ATRIUM.** An opening ~~connecting through~~ two or more ~~stories~~ floor levels other than enclosed stairways, elevators, hoistways, escalators, plumbing, electrical, air-conditioning or other equipment, which is closed at the top and not defined as a mall. Floor levels ~~Stories~~, as used in this definition, do not include balconies within assembly groups or mezzanines that comply with Section 505. For openings connecting two floor levels, see Section 707.2, exception 7.

## IBC SECTION 406

*\*IBC Section 406.1.1.1; add to read as follows:*

**406.1.1.1 Private garage:** A garage in which the garage area is under the control of one particular owner or tenant and is separated from other such garage areas assigned to other individuals. This includes but is not limited to garages associated with one- and two-family dwellings, or individual garages grouped in a building associated with multi-family dwellings or other occupancies.

*\*IBC Section 406.1.4.1; added to read as follows:*

**406.1.4.1 Sleeping rooms.** Openings from a private garage directly into a room used for sleeping purposes shall not be permitted.

*\*IBC Section 406.4.1; changed to read as follows:*

**406.4.1 Heights and areas.** Enclosed vehicle parking garages and portions thereof that do not meet the definition of open parking garages shall be limited to the allowable heights and areas specified in ~~Table~~ Section 503. Roof parking is permitted.

*\*IBC Section 406.6.1 changed, 406.6.1.1 and 406.6.1.2 added to read as follows:*

**406.6.1 General.** Repair garages shall be constructed in accordance with the *International Fire Code* and this section. This occupancy shall not include motor fuel-dispensing facilities, as regulated in Section 406.5, but shall include any auto repair bays.

**406.6.1.1 Major repair garage.** Any building or part thereof which is used for painting, body and fender work, engine overhauling or other major repair of motor vehicles.

**406.6.1.2 Minor repair garage.** Any building or part thereof which is used for servicing of

motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement and other such non-major repair.

## IBC SECTION 408

*\*IBC Section 408.3.7; added to read as follows:*

**408.3.7 Corridors.** Open-barred cells forming corridor walls, the corridors and cell doors need not be fire-resistive.

## IBC SECTION 412

*\*IBC Section 412.2.3; add an exception to read as follows:*

**Exception:** Aircraft hangars with individual tenant spaces not exceeding 2,000 square feet each in which servicing, repairing or washing is not conducted, and in which fuel is not dispensed, shall have floors that are graded toward the door, but shall not require a separator.

## IBC TABLE 414

*\*IBC Table 414.2.2; amend footnote “c” to read as follows:*

- c. Fire barriers shall include walls and floors as necessary to provide separation from other portions of the building. For fire-resistance rating of floor separation, see Section 414.2.3.

## IBC SECTION 415

*IBC Section 415.2; add a definition to read as follows:*

**DETACHED BUILDING.** A separate single-story building, without a basement or crawl space, used for the storage or use of hazardous materials and located an approved distance from all structures. See Fire Code Chapter 27.

## IBC SECTION 503

*\*IBC Section 503.1; add a second paragraph to read as follows:*

An occupancy, including those on Occupied Roofs, shall not be located above the story or



height set forth in Table 503 except as modified hereafter. For non-separated mixed uses, in accordance with Section 302.3.1, no occupancy shall be located above the story or height of the most restrictive non-separated occupancy.

*\*IBC Section 503.1.5 and 503.1.6; added to read as follows:*

**503.1.5 Yards.** When yards are provided for determination of Exterior Wall rating, Exterior Opening Protection or increase in allowable area calculations, under this code or any previous code, they shall be maintained clear and unobstructed in accordance with their original approval, unless permitted to be removed or reduced by this code.

**503.1.6 Fire protection systems.** Any existing fire extinguishing system or fire alarm system, whether installed voluntarily or as a requirement of any previous code, shall be maintained and kept operational as required in the Fire Code. Such systems shall not be removed unless permitted to be removed or reduced by this code and the Fire Code.

## **IBC SECTION 506**

*\*IBC Section 506.2.2; add a sentence to read as follows:*

In order to be considered as accessible, if not in direct contact with a street or fire lane, a minimum 10 foot wide pathway from the street or approved fire lane must be provided. (See Fire Code Section 503.1.1 for hose lay measurement pathway requirements.)

## **IBC SECTION 507**

*\*IBC Section 507.2; change to read as follows:*

**507.2 Sprinklered, one story.** The area of a one-story, Group B, F, M or S building of any construction type or a one-story Group A-4 building of other than Type V construction shall not be limited . . . {remainder of section unchanged}.

*\*IBC Section 507.4; change to read as follows:*

**507.4 Reduced open space.** The permanent open space of 60 feet (18 288 mm) required in Sections 507.1, 507.2, ~~and 507.3~~ and 507.5 shall be permitted to be reduced to not less than 40 feet (12 192 mm) provided . . . {remainder of section unchanged}.

## **IBC TABLE 601**

*\*IBC Table 601; delete footnote "d".*

## IBC TABLE 602

\*IBC Table 602; amend footnote “b” to read as follows:

- b. Group R-3 and Group U when used as accessory to Group R-3, as applicable in Section 101.2 shall not be required to have a fire-resistance rating where the fire separation distance is 3 feet or more. For other carports of Type II-B construction, a fire-resistance rating shall not be required where the fire separation distance is 5 feet or more and the carport complies with all of the following:
  - i. The carport shall be constructed of all metal or all metal with masonry veneer; and,
  - ii. The carport shall not exceed 3,000 square feet with 16’ separation between other such carports, measured from closest projection to closest projection.
  - iii. See also Section 704.3, exception 2 for assumed property lines between main use buildings and carports.

## IBC SECTION 603

\*Section 603.1; add an item 1.4 to read as follows:

- 1.4 Double stud framing may be used to strengthen metal stud door framing.

## IBC SECTION 704

\*Section 704.2; changed to read as follows:

**704.2 Projections.** Cornices, eave overhangs, exterior balconies and similar architectural appendages extending beyond the floor area shall conform to the requirements of this section and Section 1406. Exterior egress balconies and exterior exit stairways shall also comply with Sections 1013.5 and 1022.1.

Projections shall not extend beyond the distance determined by the following two methods, whichever results in the lesser projections:

- 1. A point one-third the distance to the property line from an assumed vertical plane located where ~~unprotected~~ ~~protected~~ openings are permitted to be 25% or more required in accordance with Section 704.8.
- 2. More than 12 inches (305 mm) into areas where unprotected openings are prohibited.

\*IBC Section 704.2.3; changed to read as follows:

**704.2.3 Combustible projections.** Combustible projections located where unprotected openings are not permitted or where ~~protection of protected~~ openings ~~is~~ are required to be less than 25% in accordance with Section 704.8 shall be of at least 1-hr fire-resistive-rated construction, Type IV construction or as required by Section 1406.3.

**Exception:** Type V construction shall be allowed for R-3 occupancies, as applicable in Section 101.2.

*\*IBC Section 704.3; add a second exception to read as follows:*

2. The assumed property line is not required between a main use building and an accessory carport when the carport complies with all of the following:
  - a. The carport shall be constructed of all metal or all metal with masonry veneer; and,
  - b. The carport shall not exceed 3,000 square feet with 16' separation between other such carports, measured from closest projection to closest projection; and,
  - c. The carport shall be separated from the main use building by a minimum of 15', measured from closest projection to closest projection.

When so designed, the exterior wall of the main use building shall be protected as though the carport and an assumed property line for such carport does not exist.

*\*IBC Section 704.3.1; added to read as follows:*

**704.3.1 Building with courts.** Unless court walls and openings are designed and protected as a shaft in accordance with Section 707, court walls of buildings over two stories in height shall be assumed to have a property line between them.

**IBC TABLE 704.8**

*\*IBC Table 704.8; change the fire separation distances (footnotes remain the same) to read as follows:*

Current distance	0 to 3	Greater than 3 to 5	Greater than 5 to 10	Greater than 10 to 15	Greater than 15 to 20	Greater than 20 to 25	Greater than 25 to 30	Greater than 30
------------------	--------	---------------------	----------------------	-----------------------	-----------------------	-----------------------	-----------------------	-----------------

Proposed distance	$x < 3$	$3 \leq x < 5$	$5 \leq x < 10$	$10 \leq x < 15$	$15 \leq x < 20$	$20 \leq x < 25$	$25 \leq x < 30$	$x \geq 30$
-------------------	---------	----------------	-----------------	------------------	------------------	------------------	------------------	-------------

x = fire separation distance (feet)

\*IBC Section 704.11.1; changed to read as follows:

**704.11.1 Parapet construction.** Parapets shall have the same fire-resistance rating as that required for the . . . *{bulk of section unchanged}* . . . extend to the same height as any portion of the roof within a fire separation distance where the wall is permitted to have at least 25 percent unprotected openings in accordance with Section 704.8 ~~protection of wall openings is required,~~ but in no case shall the height be less than the same height as any portion of the roof within 5 feet of the property line nor less than 30 inches (762 mm).

## IBC SECTION 705

\*IBC Section 705.1; add a second paragraph to read as follows:

Fire Walls shall be installed at the time of new construction, shall not wait for tenant layout locations, and shall be structurally independent as specified above. When dealing with Group H uses required to be in detached buildings, each building shall be separated from other buildings, including other detonable buildings, as required by Table 415.3.2, footnote a. See also, Table 415.3.1, footnote c. Fire Walls shall not be used to alleviate the separation requirements.

\*IBC Section 705.2; add exceptions to read as follows:

**Exception:** When necessary to install a two- or three-hour fire wall of not more than two stories in height in an existing building, a fire-resistant wall of the same rating, as specified in Table 705.4, that encapsulates a structural column line may be accepted.

2. When necessary to install a two- or three-hour fire wall of not more than two stories in height between an existing building and a new addition, a double fire wall, one on the existing building and one on the new building, both of the required fire rating, as specified in Table 705.4, may be acceptable. Fire doors may be installed in one of the walls with a water curtain installed at the opening of the other wall.

\*IBC Section 705.11; change the exception to read as follows:

**Exception:** For other than hazardous exhaust ducts, penetrations by ducts and air transfer openings of . . . *{remainder of exception unchanged}* .

## IBC SECTION 706

\*IBC Section 706.3.7; add an exception to read as follows:

**Exception:** Except for Group H and I-2 areas, where the building is equipped throughout with an automatic sprinkler system, installed in accordance with Section 903.3.1.1, the fire-resistance ratings in Table 706.3.7 shall be reduced by 1 hour but to not less than 1 hour and to not less than that required for floor construction according to the type of construction.

\*IBC 706.3.8; added to read as follows:

**706.3.8 Multiple tenant buildings.** When in a building originally designed for multiple tenants that come and go on a regular basis, such as a strip center, and the neighboring space is already finished and occupied, in lieu of requiring a full double sided fire barrier, the required rated separation need only be provided on the new tenant side of all of its demising walls and floors. This will constitute a one-half design of the required fire barrier but must encapsulate the entire tenant space.

## IBC SECTION 707

\*IBC Section 707.2; change exception #7 to read as follows:

7. In other than Groups I-2 and I-3, a shaft enclosure is not required for a floor opening that complies with the following:
  - 7.1 Does not connect more than two stories.
  - 7.2 Is not part of the required means of egress system except as permitted in Section 1019.1.
  - 7.3 Is not concealed within the building construction.
  - 7.4 Is not open to a corridor in Groups H and I and ~~R~~ occupancies.
  - ~~7.5 Is not open to a corridor on non-sprinklered floors in any occupancy.~~
  - 7.6 Is separated from floor openings serving other floors by construction conforming to required shaft enclosures.

\*IBC Section 707.14.1; add exception #5 to read as follows:

5. When corridors between two floors are connected by open stairs as permitted under Section 1019.1, exceptions #8 or 9, or connected by a two story opening as permitted under Section 707.2, exception #7, elevators that serve no floors other than those corridors need not have elevator lobbies.

## IBC TABLE 715

\*IBC Table 715.3, footnote b; changed to read as follows:

<sup>b</sup>For testing requirements, see Section 715.3.3. For fire-protected-rated glazing, see Section 715.4. For fire-resistance-rated glazing tested as part of a fire-resistance-rated wall, see Section 715.2.

## IBC SECTION 716

\*IBC Section 716.5.2; add exception #4 to read as follows:

4. In the duct penetration of the separation between the private garage and it's residence when constructed in accordance with Section 406.1.4, exceptions #2 and 3.

\*IBC Section 716.5.6; add to read as follows:

**716.5.6 [IECC 802.3.4] Dampers integral to the building envelope.** Stair, elevator shaft vents, and other dampers integral to the building envelope shall be equipped with motorized dampers with a maximum leakage rate of 3 cfm/ft<sup>2</sup> [5.1 L/s · m<sup>2</sup>] at 1.0 inch water gauge (w.g.) (250 Pa) when tested in accordance with AMCA 500.

**Exception:** Gravity (nonmotorized) dampers are permitted to be use din buildings less than three stories in height above grade.

## IBC SECTION 901

\*IBC Section 901.1; changed to read as follows:

**901.1 Scope.** The provisions of this chapter shall specify where fire protection systems are required and shall apply to the design, installation and operation of fire protection systems. Fire protection equipment required by this code shall be listed or approved for the intended use by a nationally recognized testing laboratory.

## IBC SECTION 902

\*IBC Section 902.1; amend definition of "Standpipe, Types of" under "Manual dry" by adding a sentence to read as follows:

The system must be supervised as specified in Section 905.2.

*\*IBC Section 902.1; amend definitions “Automatic Sprinkler System” and “Fire Alarm Control Unit”, and add a definition of “Special Agent System” to read as follows:*

**AUTOMATIC SPRINKLER SYSTEM.** A system of underground and/or aboveground piping which conveys water with or without other agents to dispersal openings or devices to extinguish, control, or contain fire and to provide protection from exposure to fire or the products of combustion. Each required alarm valve or flow detecting device and all components on the system side of the alarm valve or flow detecting device shall be considered to be a separate system. May also be called a fire sprinkler system.

**FIRE ALARM CONTROL PANEL (FACP).** A panel with the control circuits necessary to (a) furnish power to a fire alarm system; (b) receive signals from alarm initiating devices and transmit them to audible alarm indicating appliances and accessory equipment; and (c) electrically supervise the system installation wiring and primary power. Each fire alarm control panel and all components on the system side of the control panel shall be considered to be a separate system. May also be called a fire alarm control unit.

**SPECIAL AGENT SYSTEM.** A system of electrical and/or mechanical devices which are designed to extinguish a fire by discharging a chemical agent other than water. Such systems shall include but not be limited to halogenated and carbon dioxide systems. Each control panel and all components on the system side of the control panel shall be considered to be a separate system. Systems required by the Mechanical Code shall be in accordance with that code.

### **IBC SECTION 903**

*\*IBC Section 903.1.1; change to read as follows:*

**[F] 903.1.1 Alternative protection.** Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in lieu of addition to required automatic sprinkler protection where recognized by the applicable standard and approved by the building fire code official.

*\*IBC Section 903.1.2; added to read as follows:*

**903.1.2 Residential systems.** Reductions to provisions of this code, commonly referred to as “building code tradeoffs,” shall not apply to systems installed in accordance with NFPA 13R or 13D unless the pertinent section contains a direct reference to Sections 903.3.1.2 or 903.3.1.3. When such “tradeoffs” are used in the building design that are not authorized for NFPA 13R or 13D systems, the sprinkler installation shall be in accordance with NFPA 13.

For clarification of the appropriate system, the sprinkler designer/installer should consult the building designer and the appropriate plan reviewer or third party plan reviewer.

Residential sprinkler systems installed in accordance with NFPA 13R shall include attic sprinkler protection in buildings of three or more stories.

*\*IBC Section 903.2; delete the exception.*

*\*IBC Section 903.2.3.1; add a sentence to read as follows:*

For dust collection requirements, see Mechanical Code Section 510.2.1.1.

*\*IBC Section 903.2.7; changed to read as follows:*

**903.2.7 Group R.** An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R-1, R-2 and R-4 fire area as specified in Sections 903.2.7.1 and 903.2.7.2.

**903.2.7.1 Group R-1 and R-2.** An automatic sprinkler system shall be provided throughout buildings with a Group R-1 or R-2 fire area.

**Exceptions:**

1. Where no portion of the R-1 or R-2 fire area is located higher than the second story, nor in a basement, and such R-1 or R-2 use complies with all of the following conditions:
  - a. The building when used as boarding house, hotel or motel contains less than 20 guest rooms.
  - b. The building when used as apartment contains less than 8 dwelling units.
  - c. The building when used as a convent, dormitory or monastery contains less than 20 occupants.
  - d. The building when used as fraternities or sororities has an occupant load of 10 or less.
  - e. The building used as timeshare property, State of Texas Type E (Large facility), or any other use shall comply with the appropriate numbers listed above dependant upon whether dwelling units, guest rooms, etc. are in the design.
2. A residential sprinkler system installed in accordance with Section 903.3.1.2 shall be permitted in buildings, or portions thereof, of Group R-1 and R-2 in accordance with the limitations of Section 903.1.2.

**903.2.7.2 Group R-4.** An automatic sprinkler system shall be provided throughout all buildings with a Group R-4 fire area with more than eight occupants.



**Exception:** An automatic sprinkler system installed in accordance with Section 903.3.1.2 or Section 903.3.1.3 shall be allowed in Group R-4 facilities in accordance with the limitations of Section 903.1.2.

*\*IBC Section 903.2.8.3; added to read as follows:*

**903.2.8.3 Commercial major repair garages.** An automatic sprinkler system shall be provided throughout buildings used for major repair garages of commercial trucks or buses where the fire area exceeds 5,000 square feet (464 m<sup>2</sup>).

*\*IBC Section 903.2.8.4; added to read as follows:*

**903.2.8.4. Self-service storage facility.** An automatic sprinkler system shall be installed throughout all self-service storage facilities. The minimum sprinkler system design shall be based on an Ordinary Group II classification, in accordance with NFPA 13 requirements.

**Exception:** One story self-service storage facilities, that have no interior corridors, with a one-hour fire barrier wall installed between every storage compartment.

*\*IBC Section 903.2.9 and 903.2.9.1; changed to read as follows:*

**903.2.9 Group S-2.** An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 ~~or where located beneath other groups as shown:~~

1. Buildings two or more stories in height, including basements, with a fire area containing an enclosed parking garage exceeding 10,000 square feet (929 m<sup>2</sup>).
2. One-story buildings with a fire area containing an enclosed garage exceeding 12,000 square feet (1115 m<sup>2</sup>).

~~**Exception:** Enclosed parking garages located beneath Group R-3 occupancies as applicable in Section 101.2.~~

**903.2.9.1 Commercial parking garages.** An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses where the fire area exceeds 5,000 square feet (464 m<sup>2</sup>).

**Exception:** Commercial parking garages that comply with the opening requirements of an open parking garage as specified in Section 406.3, may comply with the requirements as specified in Section 903.2.9.

*\*IBC Section 903.2.10; amend 903.2.10.3 and add 903.2.10.4 and 903.2.10.5 as follows:*

**903.2.10.3 Buildings over 55 feet in height.** An automatic sprinkler system shall be installed throughout buildings with a floor level, other than penthouses in compliance with Section 1509, ~~having an occupant load of 30 or more~~ that is located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access.

- Exception:** ~~1. Airport control towers. (delete)~~  
2. Open parking structures with no other occupancies above and in compliance with Section 406.3.  
~~3. Occupancies in Group F-2. (delete)~~

**903.2.10.4 Spray Booths and Rooms.** New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

**903.2.10.5 High-Piled Combustible Storage.** For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 23 of the Fire Code to determine if those provisions apply.

*\*IBC Section 903.3.1.1.1; changed to read as follows:*

**903.3.1.1.1 Exempt locations.** When approved by the fire code official, automatic ~~Automatic~~ sprinklers shall not be required in the following rooms or areas where such . . . *{bulk of section unchanged}* . . . because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the building fire code official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
- ~~4. In rooms or areas that are of noncombustible construction with wholly noncombustible contents.~~

*\*IBC Section 903.3.1.2; changed to read as follows:*

**903.3.1.2 NFPA 13R sprinkler systems.** Where allowed in buildings of Group R, up to and

including four stories in height, automatic sprinkler systems shall be installed throughout in accordance with NFPA 13R. However, when “tradeoffs” that are not authorized for NFPA 13R systems are used in the building design, the sprinkler installation shall be in accordance with NFPA 13. (See Section 903.1.2)

Residential sprinkler systems installed in accordance with NFPA 13R shall include attic sprinkler protection in buildings of three or more stories.

*\*IBC Section 903.3.5; add a second paragraph to read as follows:*

Every fire protection system shall be designed with a 5 psi safety factor. Reference Fire Code Section 508.4.1 for water supply test date and information requirements.

*\*IBC Section 903.3.7 and 903.3.7.1; change to read as follows:*

**903.3.7 Fire department connections.** The location of fire department connections shall be in accordance with the Fire Code and shall be approved by the building fire code official.

**903.3.7.1 Locking fire department connection (FDC) caps.** New sprinkler installations shall be equipped with ~~The fire code official is authorized to require~~ locking FDC caps on fire department connections as approved by the fire code official. Existing sprinkler installations will require approved locking fire department connection caps to be installed when direct by the fire code official. ~~for water-based fire protection systems where the responding fire department carries appropriate key wrenches for removal.~~

*\*IBC Section 903.4; add a second paragraph after the exceptions to read as follows:*

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than forty-five (45) seconds. All control valves in the sprinkler and standpipe systems shall be electrically supervised.

*\*IBC Section 903.4.2; change to read as follows:*

**[F] 903.4.2 Alarms.** Approved audible sprinkler water-flow alarm devices shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as

practicable to the fire department connections. Adjacent to the alarm shall be a sign which states:

“WHEN ALARM SOUNDS, CALL FORT WORTH FIRE DEPARTMENT, 9-1-1, {insert address}”

and which contains the address of the property as indicated on the Certificate of Occupancy. The sign shall consist of red letters of 1 inch minimum height on a white reflective background.

*\*IBC Section 903.6, 903.6.1 and 903.6.2; added to read as follows:*

**903.6 Existing buildings.** The provisions of this section are intended to provide a reasonable degree of safety in existing structures not complying with the minimum requirements of this code by requiring installation of an automatic fire-extinguishing system regardless of the date of construction or installation.

**903.6.1 Pyroxylin plastics.** All structures occupied for the manufacture or storage of articles of cellulose nitrate (pyroxylin) plastic shall be equipped with an approved automatic fire-extinguishing system. Vaults located within buildings for the storage of raw pyroxylin shall be protected with an approved automatic sprinkler system capable of discharging 1.66 gallons per minute per square foot (68 L/min/m<sup>2</sup>) over the area of the vault.

**903.6.2 Spray Booths and Rooms.** New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

## **IBC SECTION 904**

*\*IBC Section 904.1; add a sentence to read as follows:*

Automatic fire-extinguishing systems not covered by the reference standards of this section shall be designed and installed in accordance with approved standards.

*\*IBC Section 904.11; add a sentence to read as follows:*

See also Sections 904.11.5 and 904.11.6 of the Fire Code.

## **IBC SECTION 905**

*\*IBC 905.1.1; added to read as follows:*

**905.1.1 Locking Fire Department Connection Caps.** New Class I and Class III standpipe systems shall be equipped with approved locking caps on all fire department connections. Existing Class I and Class III standpipe systems shall have approved locking fire department connections caps installed when required by the fire code official.

*\*IBC Section 905.2 changed, and 905.2.1 and 905.2.2 added to read as follows:*

**905.2 Installation standards.** Standpipe system shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm.

*\*IBC Section 905.3.3; changed to read as follows:*

**905.3.3 Covered mall buildings.** A covered mall building shall be equipped throughout with a Class I automatic wet standpipe system where the mall exceeds ten thousand (10,000) square feet (929 m<sup>2</sup>) in area per story. Standpipes shall be provided where any portion of the building's interior area is more than two hundred (200) feet (60 960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access required by Section 905.3. Covered mall buildings not required to be equipped with a standpipe system by this section ~~Section 905.3~~ shall be equipped with Class I hose connections connected to a system sized . . . {remainder of section unchanged}.

*\*IBC 905.8.1; add a sentence to read as follows:*

Manual dry standpipe systems shall be supervised with a minimum of ten (10) psig and a maximum of forty (40) psig air pressure with a high/low alarm.

## **IBC SECTION 907**

*\*IBC Sections 907.1 through 907.2.9; deleted and changed to read as follows:*

**907.1 thru 907.2.9.** For alarm systems, see Section 907 of the Fire Code.

*\*IBC Sections 907.2.10.5; added to read as follows:*

**907.2.10.5 Additions, alterations or repairs to Group R.** Existing Group R occupancies not already provided with single-station smoke alarms shall be provided with approved single-station smoke alarms. Installation shall be in accordance with Section 3417.2.

Where an addition, alteration or repair to an individual dwelling unit or guestroom in Group

R requires a permit, smoke alarms shall be installed within that individual dwelling unit or guestroom in accordance with Section 907.2.10, except as provided in Sections 907.2.10.5.1 and 907.2.10.5.2.

**Exception:** Repairs to the exterior surfaces of occupancies in Group R.

**907.2.10.5.1 Interconnection.** Where more than one smoke alarm is required to be installed within an individual dwelling unit in Group R-2, R-3 or R-4, or within an individual sleeping unit in Group R-1, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

**Exceptions:** 1. Interconnection is not required in buildings that are not undergoing alterations, repairs or construction of any kind.

2. Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for interconnection without the removal of interior finishes.

**907.2.10.5.2 Power source.** In Group R occupancies, single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

**Exception:** Smoke alarms are permitted to be solely battery operated: in existing buildings where no construction is taking place; in buildings that are not served from a commercial power source; and in existing areas of buildings undergoing alteration or repairs that do not result in the removal of interior walls or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for interconnection without the removal of interior finishes.

*\*IBC Section 907.2.12 thru 907.2.12.3; deleted and changed to read as follows:*

**907.2.12 thru 907.2.12.3** For alarm systems, see Section 907 of the Fire Code.

*\*IBC Section 907.3; add a sentence to read as follows:*

Manual fire alarm boxes shall be an approved double action type.

*\*IBC Section 907.3.1; delete the exception.*

*\*IBC Section 907.5; add 907.5.1 to read as follows:*

**907.5.1 Installation.** Fire alarm systems shall be installed in such a manner that the failure of any single initiating device will not interfere with the normal operation of any other initiating device on the same circuit. Initiating Device Circuits (IDC) shall be Class “A”, Style “D”, Signaling Line Circuits (SLC) shall be Class “A”, Style “6” and Notification Appliance Circuits (NAC) shall be Class “B”, Style Y as defined in NFPA 72.

**Exception:** Altered, upgraded or replaced fire alarm systems may match original installation circuit wiring style.

*\*IBC Section 907.8; changed to read as follows:*

**907.8 Zones.** Each floor shall be zoned separately and a zone shall not exceed 22,500 square feet (2090 m<sup>2</sup>). The length of any zone shall not exceed 300 feet (91 440 mm) in any direction. A separate zone or address point for water flow detection shall be provided for each water flow device.

**Exception:** Automatic sprinkler system zones shall not exceed the area permitted by NFPA 13.

*\*IBC Section 907.8.2; changed to read as follows:*

**907.8.2 Buildings over 55 feet in height High-rise buildings.** In buildings used for human occupancy that have floors located more than 55 ~~75~~ feet (16 764 ~~22 860~~ mm) above the lowest . . . {remainder of section unchanged} .

*\*IBC Section 907.9.1; exception 1 changed and a new exception 3 added to read as follows:*

**Exceptions:** 1. Visible alarm notification appliances are not required in alterations, upgrades or replacement of ~~except where an existing fire alarm system is upgraded or replaced, or a new~~ a fire alarm system unless the originally installed system required visual notification is installed.

2. Visible alarm notification appliances shall not be required in exits as defined in Section 1002.1.

3. Visual alarm notification appliances shall not be required in Group I-2 operating rooms.

*\*IBC Sections 907.20 through 907.23; added to read as follows:*

**907.20 Rented or leased residential occupancies.** See the Fire Code, Section 907.21.

## IBC SECTION 909

*\*Section 909.5.3; added to read as follows:*

**909.5.3 Corridors and Exit Passageways.** When smoke control is required, and when required to have protected openings, the construction of corridors and exit passageways shall also comply with these provisions as a smoke barrier.

**Exception:** When the corridor or exit passageway has a positive pressure difference between it and the neighboring spaces that complies with the provisions of this section, only a negative pressure difference shall be required between the corridor or exit passageway and the pressurized exit enclosure of Section 909.20.5.

However, if the corridor or exit passageway is placed in negative pressure relative to its neighboring spaces, then the pressure differences between the corridor or exit passageway and the vestibule or pressurized exit enclosure shall comply with the provisions of this section.

*\*IBC Section 909.18.8; change to read as follows:*

**[F] 909.18.8 Special inspections for smoke control.** Smoke control systems shall be tested in accordance with this section and as directed by the fire code official ~~by a special inspector.~~

## IBC SECTION 910

*\*IBC Section 910.3.1.2; add a second paragraph to read as follows:*

The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100°F greater than the temperature rating of the sprinklers installed.

## IBC SECTION 1002

*\*IBC Section 1002; definitions are changed and added to read as follows:*

**STAIRWAY, EXTERIOR.** A stairway that is open on at least one side, except for required structural columns, beams, handrails and guards in accordance with Section 1022.3. The adjoining open areas shall be in direct contact with either yards, courts or public ways. The other sides of the exterior stairway need not be open.



Any stairway at the end of an open ended corridor that is pulled into the building shall be considered an exterior stair if in compliance with both of the following provisions:

1. When using switchback stairs, such that the outside edge of the outside landing is no more than 5 feet inside the exterior walls.
2. When using straight run stairs, individually or in conjunction with a switchback stair, such that the bottom riser is no more than 1 foot inside the exterior walls.

**OPEN-ENDED CORRIDOR.** A corridor that is open to the outside at the exterior of the building, leading directly to an exterior stairway at each end with no intervening doors or enclosures.

### **IBC SECTION 1003**

*\*IBC Section 1003.1; add 1003.1.1 and 1003.1.2 to read as follows:*

**1003.1.1 Additional means of egress components.** When additional elements, including but not limited to extra stairs or doors, are provided, they shall comply with the provisions of Sections 1003 through 1012, except that exit signs are not required for additional doors.

Any additional means of egress element, including but not limited to, doors, open stairs, enclosed stairs or exterior stairs, provided to comply with any means of egress provision shall be considered as a required element.

**1003.1.2 Separation of multiple egress elements.** When more than one egress element is provided or, under Section 1003.1.1, becomes a required element from an area or floor to comply with any provision of this code, including but not limited to doors and open or enclosed stairs, such elements shall remain separated as required by Section 1014.2.1, 1014.2.2 and 1018 throughout their pathway until discharged at separate exterior locations.

### **IBC TABLE 1004.1.2**

*IBC Table 1004.1.2; add the following category:*

Gymnasiums/Sport Area When dedicated for sporting event only  When usable for other events, e.g. graduation ceremonies, assembly meetings, parties, etc. (includes school gyms)	Total number of sport participants, coaches, and other accessory personnel 15 net
---	---

### **IBC SECTION 1008**

*\*IBC Section 1008.1; add a sentence to the first paragraph to read as follows:*

Security devices affecting means of egress shall be subject to approval of the Fire Code Official. (See Fire Code, Section 1027.2)

*\*IBC Section 1008.1.3.4; changed to read as follows:*

**[F] 1008.1.3.4 Access-controlled egress doors.** Devices that restrict or control access or exiting through the use of an electrical or electronic means shall be permitted to be installed in accordance with this section, Section 1008.1.9, and Section 403.12. An Access Control Permit is required from the Fire Department (See Fire Code Section 105).

**[F] 1008.1.3.4.1 General.** Electronic locking devices installed in such a manner that the method of unrestricted exiting relies upon electricity or electronics instead of mechanical means shall comply with this section. All equipment shall be listed or approved for the intended application.

1. Access to exits, even in non-fire situations, shall be available to all individuals, even those individuals that are considered as unauthorized. Door release mechanisms shall be made available.

**Exception:** Locations for occupants needing self protection because of reduced mental capacities, or as otherwise approved by the fire code official.

2. Automatically release upon activation of the fire alarm system, if provided. The control devices shall remain unlocked until the system has been reset.
3. Automatically release upon loss of electrical power to the building or to the electronic device. Locking mechanisms shall not be provided with emergency backup batteries.

**[F] 1008.1.3.4.2 Door release mechanisms.** Only one action shall be required to release the door. One of the following release methods shall be utilized:

1. Provide an electronic release bar. Such bars shall be installed so that pushing on the bar will provide egress. Bars shall be the positive latching type, or as approved by the fire code official. These devices shall comply with Section 1008.1.9 and shall be located 34 to 48 inches above the finished floor.
2. Provide a motion detector. Upon detection of an approach, the device will automatically unlock the secured door. When using a motion detector, an exit button, that meets the requirements of this section, shall also be installed in case of failure of the motion detector device.
3. Provide an exit button. When operated, the exit button shall result in direct

interruption of power to the locking device, independent of the access control system, for a minimum of 10 seconds. Exit buttons shall be red or green in color, square or round, and at least 1 ¾ inch in size. They shall be located forty (40) to forty-eight (48) inches vertically above the floor and within two (2) feet of the related door, or as approved by the fire code official. A sign shall be located directly adjacent to the button with the words "Push to Exit", having minimum 1 inch high red lettering on a white background. **If the exit button is labeled "Exit" or "Push to Exit", an additional sign is not required**

**Exceptions:**

1. When approved by the fire code official, an emergency pull box or a break glass emergency pull box may be located adjacent to the door to activate the release in an emergency. This box shall be easily identifiable, contrasting with any other box in the area, and located forty (40) to forty-eight (48) inches vertically above the floor and within two (2) feet of the related door, or as approved by the fire code official. An approved sign shall be adjacent to the box with an appropriate message such as "Pull to Open Door" or "Break Glass to Open Door", having minimum 1 inch high red lettering on a white background. Momentary, or latching, devices must directly interrupt power to the locking device, independent of the access control system for a minimum of 10 seconds.
2. When approved by the fire code official, a means of two-way communication to an on-site twenty-four (24) hour security center may be provided adjacent to the secured door. The communication device shall be located forty (40) inches to forty-eight (48) inches vertically above the floor and within two (2) feet of the related door, or as approved by the fire code official. The security center must be able to remotely unlock the door immediately. The two-way communication circuit shall be supervised as defined in the Fire Code. An approved sign shall be adjacent to the communication device with an appropriate message such as "Call Security to Open Door", having minimum 1 inch high red lettering on a white background. Failure of the supervising communication circuit shall immediately notify the security center and the related door shall remain unlocked until the means of communication is repaired.
3. When approved by the fire code official, a control for unlocking the door may be provided at the nurse station and a release method, such as a keyed control, control pad, or card reader, is provided at the secured door. Such devices shall be located forty (40) inches to forty-eight (48) inches vertically above the floor and within two (2) feet of the related door, or as approved by the fire code official. This is allowed only for the hospital wing related to the nurse station in a Group I occupancy having complete automatic fire sprinkler protection.

**[F] 1008.1.3.4.3 Delayed egress locks.** Delayed egress locks shall not be installed. (If time delay is approved as a variance, compliance with Fire Code Section 907.2.15 and

Building Code Section 1008.1.8.6 shall also be required.)

*\*IBC Section 1008.1.8.6; delete. (See Section 1008.1.3.4.5, item 5)*

*\*IBC Section 1008.1.8.7; change exception #2 to read as follows:*

2. This section shall not apply to doors arranged in accordance with Section 403.12 or approved access-controlled doors of Section 1008.1.3.2.

## **IBC SECTION 1010**

*\*IBC Section 1010.1; add a sentence to exception #3 to read as follows:*

This exception applies to parking spaces installed along the vehicle ramp. The portion of the vehicle ramp from the parking space to the next landing can only be used as an exit access for those spaces along the ramp between landings. Otherwise, as per Section 406.2.5, the vehicle ramp shall not serve as an exit element.

## **IBC SECTION 1011**

*\*IBC Section 1011.2; add a sentence to read as follows:*

Exit signs shall be illuminated at all times.

*\*IBC Section 1011.4; changed to read as follows:*

**1011.4 Internally illuminated exit signs.** Internally illuminated exit signs shall be listed and labeled and shall be installed in accordance with the manufacturer's instructions and Sections 1011.5.1, 1011.5.3 and 2702. Exit signs shall be illuminated at all times.

## **IBC SECTION 1016**

*\*IBC Section 1016.1; add an exception #5 to read as follows:*

5. In Group B office buildings, corridor walls and ceilings need not be of fire-

resistive construction within office spaces of a single tenant when in compliance with the following:

- a. the occupant load of the tenant space does not exceed 100; or,
- b. the building is equipped with an approved fire alarm system in accordance with Section 907.2.2 and smoke detectors are installed within the corridor.
- c. See also Section 1016.5, exception 2.

### IBC TABLE 1016.1

\*IBC Table 1016.1; add a footnote "d" in the title and after the table as follows:

With sprinkler system <sup>c,d</sup>
--

- d. Corridors of Group B Occupancies need not be of fire-resistive construction when the entire story in which the space is located is equipped with an automatic sprinkler system throughout.

\*IBC Section 1016.5; change to read as follows:

**1016.5 Corridor continuity.** ~~Fire-resistance-rated~~ Corridors shall be continuous from the point of entry to an exit, and shall not be interrupted by intervening rooms.

*{exception unchanged; exception 2 added to read as follows:}*

2. When the corridor within an individual tenant space is not required to be fire-resistance-rated, it is permitted to pass through open office/business spaces provided the exit path is clearly marked through the office/business area to the point of exit.

### IBC SECTION 1018

\*IBC Section 1018.1; changed to read as follows:

**1018.1 Minimum number of exits.** All rooms and spaces within each story shall be provided with and have access to the minimum number of approved independent exits as required by Table 1018.1 based on the occupant load, except as modified in Section ~~1014.1~~ ~~or~~ 1018.2. For the purposes of this chapter, occupied roofs shall . . . *{remainder of section*

*unchanged* . For access to elevated or underfloor equipment, see the appropriate Electrical, Mechanical or Plumbing Code.

*\*IBC Section 1018.2; change item #1 to read as follows:*

1. Buildings described in Table 1018.2, provided that the building has not more than one level below the first story above grade plane. The single exit permitted under this table must be enclosed in a rated enclosure and extend to the exterior of the building or be separated from the interior of the building.

**Exception:** When the single means of egress stairway complies with any of the following exceptions, it need not be enclosed or separated.

- a. Section 1019, exceptions 1, 2, 3, 5, 6 & 7
- b. Section 1022, exception 1.

## **IBC SECTION 1019**

*\*IBC Section 1019.1; add an exception #10 to read as follows:*

10. An exterior stair at the end of an open-ended corridor shall be protected from the interior of the building as specified in this section. Such enclosure and separation door shall not be required across the corridor. Protection on the exterior walls, as specified in Section 1019.1.4 shall also be required when any portion of the stair extends outside of the exterior wall line.

## **IBC SECTION 1022**

*\*IBC Section 1022.4; changed to read as follows:*

**1022.4 Side yards.** The open areas adjoining exterior exit ramps or stairways shall be in direct contact with either yards, courts or public ways; the remaining sides are permitted to be enclosed by the exterior walls of the building.

**Exception:** Any stairway at the end of an open ended corridor that is pulled into the building shall be considered an exterior stair if in compliance with both of the following provisions:

1. When using switchback stairs, such that the outside edge of the outside landing is no more than 5 feet inside the exterior walls.
2. When using straight run stairs, individually or in conjunction with a switchback stair, such that the bottom riser is no more than 1 foot inside the exterior walls.

*\*IBC Section 1022.6 changed to read as follows:*

**1022.6 Exterior ramps and stairway protection.** Exterior exit ramps and stairways shall be separated from the interior of the building as required in Section 1019.4 . Openings shall be limited to those necessary for egress from normally occupied spaces.

*{Exceptions remain unchanged}*

## **IBC SECTION 1023**

*\*IBC Section 1023.1; add a sentence to the first paragraph to read as follows:*

Exceptions #1 and 2 listed below cannot be used together in a manner that would eliminate providing 50% of the means of egress to be protected as exit enclosures that continue to the exterior or protected from the interior of the building.

## **IBC SECTION 1024**

*\*IBC Section 1024.1; changed to read as follows:*

**1024.1 General.** Occupancies in Group A ~~which contain seats, tables, displays, equipment or other material~~ shall comply with this section.

## **IBC SECTION 1025**

*\*IBC Section 1025.1; change the last sentence of paragraph to read as follows:*

Such opening shall open directly into a public street, public alley, yard or exit court.

## **IBC SECTION 1101**

*\*IBC Section 1101.2; add an exception to read as follows:*

**Exception:** Buildings regulated under State Law and built in accordance with State certified plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of this section. When associated with a Change of Use, accessible features shall be provided in accordance with Section 3409.3 but may be designed in accordance with plans approved by the State.

## IBC SECTION 1102

*\*IBC Section 1102; add a definition of "Primary Function" to read as follows:*

**PRIMARY FUNCTION.** With respect to an alteration of a building or facility, the primary function is a major activity for which the facility is intended. Areas that contain a primary function include, but are not limited to, the customer services lobby of a bank, the dining area of a cafeteria, the meeting rooms in a conference center, as well as offices and other work areas in which the activities of the public accommodation, commercial facility, or other private entity using the facility are carried out.

## IBC SECTION 1103

*\*IBC 1103.2.12; add an exception to read as follows:*

**Exception:** Group E, residential in-home day care with not more than 12 children need not be accessible.

## IBC SECTION 1106

*\*IBC Section 1106.8; added to read as follows:*

**1106.8 Comprehensive Zoning Ordinance.** The required number of accessible spaces and van accessible spaces as specified in the Comprehensive Zoning Ordinance, including any variances thereto, shall take precedent over this section.

## IBC SECTION 1107

*\*IBC Section 1107.6.3; delete.*

*\*IBC Section 1107.6.4; delete.*

## IBC SECTION 1109

*\*IBC Section 1109.2.1; changed to read as follows:*

**1108.2.1 Unisex toilet and bathing rooms.** In assembly and mercantile occupancies, an accessible unisex toilet room shall be provided where an aggregate of six or more male ~~and~~ or female water closets are ~~required~~ provided. In buildings of mixed occupancy, only those



water closets . . . {remainder of section unchanged} . . . .

## IBC SECTION 1205

\*IBC Section 1205.1; add an exception to read as follows:

**Exception:** When using the artificial light provisions of Section 1205.3 for residential uses, natural light shall be provided for habitable rooms in accordance with Section 1205.2 and the following:

1. The minimum net glazed area shall not be less than 4 percent of the total floor area of all habitable rooms; and,
2. Such natural light may be concentrated in main use areas, including but not limited to, dining rooms, living rooms and master bedrooms, of the residential unit.

## IBC SECTION 1210

\*IBC Section 1210.2, exception #2; changed to read as follows:

2. Toilet rooms that are accessed only through a private office, not for common or accessible to the public use and which have not more than one water closet; provided that walls around urinals comply with the minimum surrounding material specified by Section 419.3 of the Plumbing Code.

## IBC CHAPTER 12 – DIVISION II

IBC Division II, Sections 1211 thru 1215; added to read as follows:

### DIVISION II

### SOUND INSULATION REQUIREMENTS FOR NOISE SENSITIVE USES NEAR AIRPORTS

### SECTION 1211 GENERAL

**1211.1 Scope.** The regulations and requirements shall apply to all new residential buildings and new noise-sensitive non-residential buildings, as defined herein, that are located wholly or partially within the boundaries of the 65 DNL or greater noise contours as designated in Figure 1211.1(1).

The term “new” shall apply to new detached buildings built after the effective date of this ordinance, and shall include later additions or modifications to those same buildings. The term shall also include a Change of Occupancy in existing buildings from a non-protected occupancy to one of the protected occupancies listed herein.

Buildings in existence prior to the effective date, and additions to or modifications of those same buildings, shall not be required to comply, except when a Change of Occupancy from a non-protected occupancy to one of the protected uses is involved.

## **SECTION 1212 DEFINITIONS**

**1212.1 General.** The following words and terms shall, for the purposes of this chapter and as used elsewhere in this code, have the meanings shown herein.

**Aircraft noise** – is generally expressed in terms of it’s A-weighted sound level, in units called “decibels.” Strictly speaking, the decibel unit should be abbreviated only by “dB”; however, for clarity “dBA” and “dB(A)” are often used to highlight the fact that the sound level measurement has been A-weighted.

**Noise exposure** – in areas around airports is expressed in terms of the Day-Night Average Sound Level, which is abbreviated by “DNL” in text and “ $L_{dn}$ ” in equations.

### **NOISE-SENSITIVE NON-RESIDENTIAL BUILDINGS –**

1. Nursing homes and hospitals, generally classified as Group I; and
2. Child day care centers, Adult day care centers and schools, generally classified as Group E and Group I-4.

**RESIDENTIAL STRUCTURES:** Single-family, Two-family, Townhouse, Multi-family, and Assisted Living uses, generally classified as Group R, whether in a single occupancy or mixed occupancy.

**Sound insulation properties** – of building construction materials are described by Sound Transmission Loss (TL) or Sound Transmission Class (STC). The higher the TL or STC value, the less sound will be transmitted through the building material.

## **SECTION 1213 PURPOSE**

**1213.1 General.** All buildings and structures with protective uses, as applicable under this Division, shall be required to have minimum sound insulation standards and requirements to protect the persons within designated noise sensitive buildings from excessive exterior noise through regulation of design, construction and modification of such buildings. After proper sound insulation measures are taken, the interior sound level, attributable to exterior sources, shall not exceed 45 dB.

With the request for a building permit application, or Change of Use permit application, submitted plans shall show evidence of compliance with the sound insulation requirements. Compliance shall consist of submittal of an acoustical analysis report as follows:

1. In accordance with the prescriptive requirements of Section 1214 or the default ratings of Section 1215; or
2. Any qualified design prepared under by a person experienced in the field of acoustical engineering or a registered architect.

## **SECTION 1214 BUILDING REQUIREMENTS**

**1214.1 General.** Compliance with the following prescriptive provisions shall be deemed to be in compliance with this Division.

### **1214.2 Building requirements for construction in the 65 dB zone.**

#### **1. Exterior Walls.**

Walls that form the exterior envelope may be as listed below and shall be constructed as follows:

- a. Wood walls with studs at least 4 inches in nominal depth. Exterior finish shall be stucco, minimum 7/8-inch thickness, brick veneer, masonry, or any siding material allowed by this code. Wood, metal or cementitious fiber siding shall be installed over 1/2-inch solid sheathing.

Wall insulation shall be at least R-13 glass fiber, or mineral wool or equal and shall be installed continuously throughout the stud space. Foam insulation, as permitted by this code, shall be accepted provided it solidifies to a spongy state and not solid or rigid.

Interior wall finish shall be at least 1/2" gypsum wallboard

- b. Masonry or concrete load bearing walls. Masonry walls with a surface weight of less than 40 pounds per square foot will require an interior supporting studwall that is finished as required by Item a above.
- c. Or, it is permitted to use any wall designated in Section 1215 with a default STC value of 25\* or greater.

## **2. Exterior Windows**

Windows in the exterior envelope shall be constructed as follows:

- a. All openable windows in the exterior walls shall have a laboratory sound transmission class rating of at least STC 30 dB and shall have air infiltration rate of no more than 0.5 cubic feet per minute when tested according to ASTM E-283; or, shall be double thermopane windows meeting the requirements of the Energy Code.
- b. All fixed windows in the exterior walls shall be at least 1/4-inch thick and shall be set in non-hardening glazing materials; or, shall be double thermopane windows meeting the requirements of the Energy Code.
- c. Or, it is permitted to use any window designated in Section 1215 with a default STC value of 25\* or greater.
- d. The total area of glazing in rooms used for sleeping shall not exceed 20 percent of the floor area.

## **3. Exterior Doors**

- a. Exterior hinged doors shall be as follows:
  - 1. a door and edge seal assembly that has a laboratory sound transmission class rating of at least STC 30 dB; or
  - 2. a door, other than a hollow core wood door, that complies with the Energy Code; or,
  - 3. any door installed with a storm door; or,
  - 4. doors installed as part of a vestibule.
- b. Sliding glass doors shall have glass that has a laboratory sound transmission class rating of at least STC 30 dB; or, shall be a sliding glass door that complies with the Energy Code.
- c. Access doors from a garage to a room within a dwelling shall have a laboratory sound transmission rating of at least STC 30 dB; or, shall comply with the Energy Code as a door in the exterior envelope.
- d. Or, it is permitted to use any door designated in Section 1215 with a default STC value of 25\* or greater.
- e. View windows in doors and sidelights shall comply with item 2 above, unless used in a door as listed in 3a above.

## **4. Roof/Ceiling Construction**

- a. Roof rafters shall have a minimum slope of 4:12 and shall be covered on their top surface with ½-inch solid sheathing and any roof covering allowed by this code. An accessible attic space shall be provided above rooms on the uppermost level of Group R buildings.
- b. Commercial type flat roofs are permitted if insulated as required by the Energy Code and a separate lay-in ceiling is added below with an airspace between the two.
- c. Cathedral ceilings are discouraged but, if installed, must have enough space to install the insulation of Item d below, with a minimum of 6" air space between the insulation and the roof deck.
- d. Attic insulation shall be batt or blown-in glass fiber or mineral wool with a minimum R-30 rating applied between the ceiling joists.
- e. Attic ventilation, when installed, shall be:
  - 1. Gable vents or other attic vents that penetrate the attic enclosure shall be fitted with a ½" plywood panel, with 1" semi-rigid insulation attached to the surface facing the vent, so that the panel is at least six inches larger than the vent opening on all sides and is attached to prevent direct line-of-site perpendicular to the vent. The new panel shall also be positioned so that the amount of ventilation is not reduced. Or,
  - 2. Eave vents that are located under the roof overhang.
- f. Ceilings shall be finished with gypsum board or plaster that is at least 5/8-inch thick;
  - or,
  - ½" gypsum board on resilient channels (RC) installed 16" o.c. perpendicular to the joists. Gypsum screws into the RC shall not be long enough to penetrate the wood stud by more than ¼" if occurring over the stud location;
  - or,
  - a lay-in ceiling with an airspace.
- g. Skylights shall penetrate the ceiling by means of a completely enclosed light well that extends from the roof opening to the ceiling opening. A secondary openable glazing panel shall be mounted at the ceiling line and shall be glazed with at least 3/16-inch plastic, tempered or laminated glass. The weather-side skylight shall be any type that is permitted by this code. The total size of skylights shall be no more than 20 percent of the roof area of the room.

## **5. Floors**

The floor of the lowest occupied rooms shall be slab on fill, below grade or over a fully enclosed basement or crawlspace. All door and window openings in the fully enclosed basement shall be tightly fitted. All crawlspace vents must be fitted with a ½" plywood panel, with 1" semi-rigid insulation attached to the surface facing the vent, so that the panel is at least six inches larger than the vent opening on all sides and is attached to prevent direct line-of-site perpendicular to the vent. The new panel shall also be positioned so that the amount of ventilation is not reduced.

## **6. Ventilation**

- a. A ventilation system shall be provided that will provide at least the minimum air circulation and fresh air supply requirements of the Mechanical Code, in each room without opening any windows, door or other opening to the exterior. Openable windows or doors will not be counted for compliance with the fresh air provisions. Fresh air must be brought in through the HVAC system.
- b. Window and/or through-the-wall ventilation or air-conditioning units shall not be used.
- c. All vent ducts connecting the interior space to the outdoors shall contain at least a ten-foot length of internal sound-absorbing duct lining. Each duct shall be provided with a ninety-degree (right angle) bend in the duct such that there is no direct line-of-sight through the duct from the venting cross-section to the room-opening cross-section. Residential bathroom vents discharging at an eave vent need only to have two ninety-degree (right angle) bends.
- d. Kitchen cooktop vent hoods shall be the non-ducted recirculating type with no ducted connection to the exterior.

## **7. Fireplaces**

Each fireplace constructed of masonry units shall be fitted with a spark arrestor, a damper as required by code and shall have glass doors across the front of the firebox.

## **8. Wall and Ceiling Openings**

Openings in the exterior that degrades its ability to achieve an interior rating of 45 dB or less when all doors and windows are closed are prohibited. Any access panels, pet doors, mail delivery drops, air conditioning, or other openings must be designed to maintain the 45 dB or less standard in the room to which they provide access.

At the penetration of exterior walls by pipes, ducts, or conduits, the space between the wall and pipes, ducts, or conduits shall be caulked at the pipe duct or conduit or filled with mortar to the wall.

\*STC ratings may overstate the actual attenuation provided by as much as 3 dB, therefore, 25 STC rating in lieu of 20 is mandated.

### **1214.3 Building requirements for construction in the 70 dB zone.**

#### **1. Exterior Walls**

Walls that form the exterior envelope may be as listed below and shall be constructed as follows:

- a. Wood walls with studs at least 4 inches in nominal depth. Exterior finish shall be stucco, minimum 7/8-inch thickness, brick veneer, masonry, or any siding material allowed by this code. Wood, metal or cementitious fiber siding shall be installed over 1/2-inch solid sheathing.

Wall insulation shall be at least R-13 glass fiber, or mineral wool or equal and shall be installed continuously throughout the stud space. Foam insulation, as permitted by this code, shall be accepted provided it solidifies to a spongy state and not solid or rigid.

Interior wall finish shall be at least 5/8-inch gypsum wallboard or plaster;  
or,  
1/2" gypsum wallboard installed on resilient channels (RC) installed 16" o.c. perpendicular to the studs. Gypsum screws into the RC shall not be long enough to penetrate the wood stud by more than 1/4" if occurring over the stud location.

- b. Masonry or concrete load bearing walls. Masonry walls with a surface weight of less than 40 pounds per square foot will require an interior supporting studwall that is finished as required by Item a above.
- c. Or, it is permitted to use any wall designated in Section 1215 with a default STC value of 30\* or greater. When using door/window openings with a default STC value of less than 30 STC but not less than 25 STC, the STC of the wall shall be downrated by 20%.

## **2. Exterior Windows**

Windows in the exterior envelope shall be constructed as follows:

- a. All openable windows in the exterior walls shall have a laboratory sound transmission class rating of at least STC 35 dB and shall have air infiltration rate of no more than 0.5 cubic feet per minute when tested according to ASTM E-283.
- b. All fixed windows in the exterior walls of rooms shall:
  - 1. Have a laboratory sound transmission class rating of at least STC 35 db, or
  - 2. Be 5/8-inch laminated glass with a laboratory sound transmission class rating of at least STC 35 db and shall be set in non-hardening glazing materials, or
  - 3. Be glass block at least 3-1/2 inches thick.
- c. Or, it is permitted to use any window designated in Section 1215 with a default STC value of 30\* or greater.
- d. The total area of glazing in rooms used for sleeping shall not exceed 20 percent of the floor area.

## **3. Exterior Doors**

- a. Exterior hinged doors shall be as follows:
  - 1. a door and edge seal assembly that has a laboratory sound transmission class rating of at least STC 35 dB; or
  - 2. a door, other than a hollow core wood door, that complies with the Energy Code and installed with a storm door; or,
  - 3. doors installed as part of a vestibule.
- b. Sliding glass doors shall have glass that has a laboratory sound transmission class rating of at least STC 35 dB.
- c. Access doors from a garage to a room within a dwelling shall have a laboratory

sound transmission rating of at least STC 30 dB; or, shall comply with the Energy Code as a door in the exterior envelope.

- d. Or, it is permitted to use any door designated in Section 1215 with a default STC value of 30\* or greater.
- e. View windows in doors and sidelights shall comply with item 2 above, unless used in a door as listed in 3a above.

#### **4. Roof/Ceiling Construction**

- a. Roof rafters shall have a minimum slope of 4:12 and shall be covered on their top surface with ½-inch solid sheathing and any roof covering allowed by this code. An accessible attic space shall be provided above rooms on the uppermost level of Group R buildings.
- b. Commercial type flat roofs are permitted if insulated as required by the Energy Code and a separate lay-in ceiling is added below with an airspace between the two.
- c. Cathedral ceilings are discouraged but, if installed, must have ¾" solid decking above, enough space to install the insulation of Item d below, with a minimum of 6" air space between the insulation and the roof deck.
- d. Attic insulation shall be batt or blown-in glass fiber or mineral wool with a minimum R-30 rating applied between the ceiling joists.
- e. Attic ventilation, when installed, shall be:
  - 1. Gable vents or other attic vents that penetrate the attic enclosure shall be fitted with a ½" plywood panel, with 1" semi-rigid insulation attached to the surface facing the vent, so that the panel is at least six inches larger than the vent opening on all sides and is attached to prevent direct line-of-site perpendicular to the vent. The new panel shall also be positioned so that the amount of ventilation is not reduced. Or,
  - 2. Eave vents that are located under the roof overhang.
- f. Ceilings shall be finished with gypsum board or plaster that is at least 5/8-inch thick. Ceiling materials shall be mounted on resilient channels;  
or,  
a lay-in ceiling with an airspace.
- g. Skylights shall penetrate the ceiling by means of a completely enclosed light well that extends from the roof opening to the ceiling opening. A secondary openable glazing panel shall be mounted at the ceiling line or at a point that provides at least a 4-inch space between the skylight glazing and the secondary glazing and shall be glazed with at least 3/16-inch plastic or laminated glass. The weather-side skylight shall be any type that is permitted by this code. The total size of skylights shall be no more than 20 percent of the roof area of the room.

#### **5. Floors**

The floor of the lowest occupied rooms shall be slab on fill, below grade or over a fully enclosed basement or crawlspace. All door and window openings in the fully enclosed basement shall be tightly fitted. All crawlspace vents must be fitted with a



½" plywood panel, with 1" semi-rigid insulation attached to the surface facing the vent, so that the panel is at least six inches larger than the vent opening on all sides and is attached to prevent direct line-of-sight perpendicular to the vent. The new panel shall also be positioned so that the amount of ventilation is not reduced.

## **6. Ventilation**

- a. A ventilation system shall be provided that will provide at least the minimum air circulation and fresh air supply requirements of the Mechanical Code, in each room without opening any windows, door or other opening to the exterior. Openable windows or doors will not be counted for compliance with the fresh air provisions. Fresh air must be brought in through the HVAC system.
- b. Window and/or through-the-wall ventilation or air-conditioning units shall not be used.
- c. All vent ducts connecting the interior space to the outdoors shall contain at least a ten-foot length of internal sound-absorbing duct lining. Each duct shall be provided with a ninety-degree (right angle) bend in the duct such that there is no direct line-of-sight through the duct from the venting cross-section to the room-opening cross-section. Residential bathroom vents discharging at an eave vent need only to have two ninety-degree (right angle) bends.
- d. Kitchen cooktop vent hoods shall be the non-ducted recirculating type with no ducted connection to the exterior.

## **7. Fireplaces**

Each fireplace constructed of masonry units shall be fitted with a spark arrestor, a damper as required by code and shall have glass doors across the front of the firebox.

## **8. Wall and Ceiling Openings**

Openings in the exterior that degrades its ability to achieve an interior rating of 45 dB or less when all doors and windows are closed are prohibited. Any access panels, pet doors, mail delivery drops, air conditioning, or other openings must be designed to maintain the 45 dB or less standard in the room to which they provide access.

At the penetration of exterior walls by pipes, ducts, or conduits, the space between the wall and pipes, ducts, or conduits shall be caulked at the pipe duct or conduit or filled with mortar to the wall.

\*STC ratings may overstate the actual attenuation provided by as much as 3 dB, therefore, 30 STC rating in lieu of 25 is mandated.

### **1214.4 Building requirements for construction in the 75 dB or greater areas.**

#### **1. Exterior Walls**

Walls that form the exterior envelope may be as listed below and shall be constructed as follows:

- a. Wood walls with studs at least 4 inches in nominal depth. Exterior finish shall be stucco, minimum 7/8-inch thickness, brick veneer, masonry, or any siding material allowed by this code. Wood, metal or cementitious fiber siding shall be installed over 3/4-inch solid sheathing.

Wall insulation shall be at least R-13 glass fiber, or mineral wool or equal and shall be installed continuously throughout the stud space. Foam insulation, as permitted by this code, shall be accepted provided it solidifies to a spongy state and not solid or rigid.

Interior wall finish shall be at least 5/8-inch gypsum wallboard installed on resilient channels (RC) installed 16" o.c. perpendicular to the studs. Gypsum screws into the RC shall not be long enough to penetrate the wood stud by more than 1/4" if occurring over the stud location.

- b. Masonry or concrete load bearing walls. Masonry walls with a surface weight of less than 40 pounds per square foot will require an interior supporting studwall that is finished as required by Item a above.
- c. Or, it is permitted to use any wall designated in Section 1215 with a default STC value of 35\* or greater. When using door/window openings with a default STC value of less than 35 STC but not less than 30 STC, the STC of the wall shall be downrated by 20%.

## **2. Exterior Windows**

Windows in the exterior envelope shall be constructed as follows:

- a. All openable windows in the exterior walls shall have a laboratory sound transmission class rating of at least STC 40 dB and shall have air infiltration rate of no more than 0.5 cubic feet per minute when tested according to ASTM E-283.
- b. All fixed windows in the exterior walls of rooms shall:
  - 1. Have a laboratory sound transmission class rating of at least STC 40 db, or
  - 2. Be 5/8-inch laminated glass with a laboratory sound transmission class rating of at least STC 40 db and shall be set in non-hardening glazing materials, or
  - 3. Be glass block at least 3-1/2 inches thick.
- c. Or, it is permitted to use any window designated in Section 1215 with a default STC value of 35\* or greater.
- d. The total area of windows and doors in rooms used for sleeping shall not exceed 20 percent of the floor area.

## **3. Exterior Doors**

- a. Exterior hinged doors shall be as follows:
  - 1. a door and edge seal assembly that has a laboratory sound transmission class rating of at least STC 40 dB; or
  - 2. a solid-core wood or insulated metal door at least one (1) inch thick separated

- by an airspace of at least four (4) inches from another door, which can be a storm door. Both doors shall be tightly fitted and weather-stripped; or,
- 3. doors installed as part of a vestibule.
- b. Sliding glass doors shall have glass that has a laboratory sound transmission class rating of at least STC 40 dB;
- or,
- a double sliding glass door, separated by a minimum four-inch airspace. Each door shall comply with the air leakage rate of the Energy Code. Glass shall be at least three-sixteenths (3/16) inch thick but not equal in thickness between the two doors, and tempered or laminated.
- c. Access doors from a garage to a room within a dwelling shall have a laboratory sound transmission rating of at least STC 30 dB; or, shall comply with the Energy Code as a door in the exterior envelope.
- d. Or, it is permitted to use any door designated in Section 1215 with a default STC value of 35\* or greater.
- e. View windows in doors and sidelights shall comply with item 2 above, unless used in a door as listed in 3a above.
- f. The joint between the wall opening and the door frame shall be continuously filled with glass fiber insulation and the exterior cover trim shall be continuously caulked to seal the joint.

#### **4. Roof/Ceiling Construction**

- a. Roof rafters shall have a minimum slope of 4:12 and shall be covered on their top surface with ½-inch solid sheathing and any roof covering allowed by this code. An accessible attic space shall be provided above rooms on the uppermost level of Group R buildings.
- b. Commercial type flat roofs are permitted if insulated as required by the Energy Code and a separate lay-in ceiling is added below with an airspace between the two.
- c. Cathedral ceilings are discouraged but, if installed, must have 1" solid decking above, have enough space to install the insulation of Item d below, with a minimum of 6" air space between the insulation and the roof deck. Structural information shall be provided confirming adequate support of the decking.
- d. Attic insulation shall be batt or blown-in glass fiber or mineral wool with a minimum R-30 rating applied between the ceiling joists.
- e. Attic ventilation, when installed, shall be:
  - 1. Gable vents or other attic vents that penetrate the attic enclosure shall be fitted with a ½" plywood panel, with 1" semi-rigid insulation attached to the surface facing the vent, so that the panel is at least six inches larger than the vent opening on all sides and is attached to prevent direct line-of-sight perpendicular to the vent. The new panel shall also be positioned so that the amount of ventilation is not reduced. Or,
  - 2. Eave vents that are located under the roof overhang.
- f. Ceilings shall be finished with gypsum board or plaster that is at least 5/8-inch thick. Ceiling materials shall be mounted on resilient channels;

- or,  
a lay-in ceiling with an airspace.
- g. Skylights shall penetrate the ceiling by means of a completely enclosed light well that extends from the roof opening to the ceiling opening. A secondary openable glazing panel shall be mounted at the ceiling line or at a point that provides at least a 4-inch space between the skylight glazing and the secondary glazing and shall be glazed with at least 3/16-inch plastic or laminated glass. The weather-side skylight shall be any type that is permitted by this code. The total size of skylights shall be no more than 20 percent of the roof area of the room.

## **5. Floors**

The floor of the lowest occupied rooms shall be slab on fill, below grade or over a fully enclosed basement or crawlspace. All door and window openings in the fully enclosed basement shall be tightly fitted. All crawlspace vents must be fitted with a ½" plywood panel, with 1" semi-rigid insulation attached to the surface facing the vent, so that the panel is at least six inches larger than the vent opening on all sides and is attached to prevent direct line-of-sight perpendicular to the vent. The new panel shall also be positioned so that the amount of ventilation is not reduced.

## **6. Ventilation**

- a. A ventilation system shall be provided that will provide at least the minimum air circulation and fresh air supply requirements of the Mechanical Code, in each room without opening any windows, door or other opening to the exterior. Openable windows or doors will not be counted for compliance with the fresh air provisions. Fresh air must be brought in through the HVAC system.
- b. Window and/or through-the-wall ventilation or air-conditioning units shall not be used.
- c. All vent ducts connecting the interior space to the outdoors shall contain at least a ten-foot length of internal sound-absorbing duct lining. Each duct shall be provided with a ninety-degree (right angle) bend in the duct such that there is no direct line-of-sight through the duct from the venting cross-section to the room-opening cross-section. Residential bathroom vents discharging at an eave vent need only to have two ninety-degree (right angle) bends.
- d. Kitchen cooktop vent hoods shall be the non-ducted recirculating type with no ducted connection to the exterior.

## **7. Fireplaces**

Each fireplace constructed of masonry units shall be fitted with a spark arrestor, a damper as required by code and shall have glass doors across the front of the firebox.

## **8. Wall and Ceiling Openings**

Openings in the exterior that degrades its ability to achieve an interior rating of 45 dB or less when all doors and windows are closed are prohibited. Any access panels, pet doors, mail delivery drops, air conditioning, or other openings must be designed to maintain the 45 dB or less standard in the room to which they provide access.

At the penetration of exterior walls by pipes, ducts, or conduits, the space between the wall and pipes, ducts, or conduits shall be caulked at the pipe duct or conduit or filled with mortar to the wall.

\*STC ratings may overstate the actual attenuation provided by as much as 3 dB, therefore, 35 STC rating in lieu of 30 is mandated.

## SECTION 1215 DEFAULT COMPONENT RATINGS

**1215.1 General.** The acoustical performance of the building depends on the combined performances of each of the elements. The final result depends on the transmission loss (or STC) and the relative surface areas of the elements. If any of the components has poor insulation properties the overall performance can be seriously weakened. Windows are usually one of the weakest elements in the dwelling's sound insulation performance.

The following default STC ratings may be used in determining the sound envelope of the building. The required combined default values are as follows:

Zone 65 dB – The sound enclosure must be comprised of all components, wall, window, doors and roof that each have a default STC rating of 25\* or higher.

Zone 70 dB – The sound enclosure must be comprised of all components, wall, window, doors and roof that have a default STC rating of 30\* or higher. It is permitted to use windows and doors of less than 30 STC but not less than 25 STC rating, provided the wall STC shall be downrated by 20% and the non-compliant window/door area shall not exceed 20% of the floor area per room.

Zone 75 or higher dB – The sound enclosure must be comprised of all components, wall, window, doors and roof that have a default STC rating of 35\* or higher. It is permitted to use windows or doors with less than 35 STC but not less than 30 STC rating, provided the wall STC shall be downrated by 20% and the non-compliant window/door area shall not exceed 20% of the floor area per room.

\*STC ratings may overstate the actual attenuation provided by as much as 3 dB, therefore, all STC rating requirements are upgraded by 5.

		<b>STC when under-rated</b>
--	--	---------------------------------

<b>Walls</b>	<b>STC</b>	<b>windows or doors are used</b>
Exterior siding, ½” solid sheathing, 2 x 4” nominal stud 16” o.c., fiberglass insulation, ½” interior gypsum attached directly to studs	39	31
7/8” stucco, No. 15 felt building paper and 1” wire mesh, 2 x 4” nominal stud 16” o.c., fiberglass insulation, ½” gypsum board attached directly to stud.	46	37
Face Brick, ½” air space with metal ties, ¾” insulation board sheathing, 2 x 4” nominal studs 16” o.c., fiberglass building insulation, ½” gypsum board attached directly to studs	56	45
1” stucco, 8” thick hollow concrete block, ½” gypsum attached to furring strips	49	39
Exterior siding, 7/16” solid sheathing, 2 x 4” nominal stud 16” o.c., batt insulation, resilient channels, ½” gypsum board	43	34
Exterior siding, 7/16” solid sheathing, 2 x 6” nominal stud 16” o.c., batt insulation, resilient channels, ½” gypsum board	47	37
Exterior siding, 7/16” solid sheathing, 2 x 4” staggered studs 16” o.c. on 2 x 6” base plate, batt insulation, ½” gypsum attached directly to studs	50	40

<b>Windows</b>	<b>STC</b>
Wood double hung, closed but unlocked, single glazing	23
Aluminum sliding, latched, single glazing	24
Wood double hung, closed but unlocked, glazed with 7/16” insulating glass	22
1/8” double glazed window with ¼” air space	26
¼” single glazed window	30
¼” laminated glass single glazed window	34
¼” + 1/8” double glazed window with 2” airspace	39
¼” + 1/8” double glazed window with 4 ¾” airspace	43

<b>Doors</b>	<b>STC</b>
Wood, flush solid core, with brass weather stripping	27
Wood, flush solid core, plastic weather stripping, aluminum storm door	34

Wood, French door, brass weather stripping	26
Steel, flush, with urethane foam core, with magnetic weather stripping	28
Wood, solid core	26
Steel or fiberglass	25
Sliding glass	27



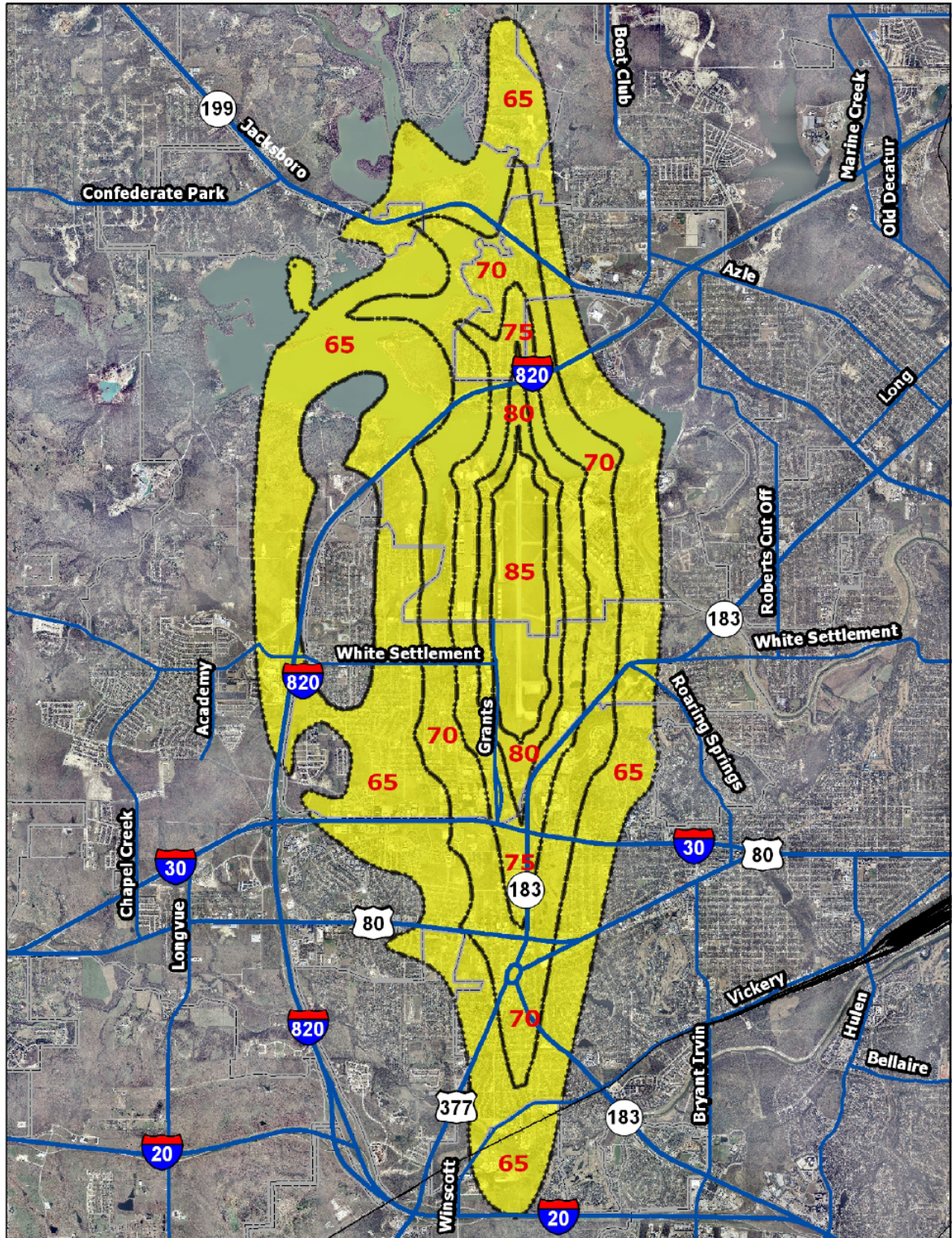


Figure 1211.1(1)



## IBC SECTION 1403

*\*IBC Section 1403.3; changed to read as follows:*

**1403.3 Vapor retarder.** ~~An approved vapor retarder shall be provided.~~ In all framed walls, floors and roof/ceilings comprising elements of the building thermal envelope, a vapor retarder, when installed, shall be installed in a manner so as to not trap moisture.

*(delete the exceptions)*

## IBC SECTION 1405

*\*IBC Section 1405.2; add a second paragraph to read as follows:*

All wood or other products exposed to the weather shall be painted or treated with an approved treatment, or shall possess a natural or inherent protection method.

## IBC TABLE 1505.1

*\*IBC Table 1505.1; replace footnote b and c with the following:*

- b. All individual replacement shingles or shakes shall be in compliance with the rating required by this table.
- c. Non-classified roof coverings shall be permitted on buildings of U occupancies having not more than 120 sq.ft. of projected roof area. When exceeding 120 sq.ft of projected roof area, buildings of U occupancies may use non-rated non-combustible roof coverings.

## IBC SECTION 1505

*\*IBC Section 1505.7; delete.*

## IBC SECTION 1507

*\*IBC Section 1507.10.1; add an exception to read as follows:*

**Exception:** Engineered roofs designed to provide adequate drainage after the long-time deflection from dead loads or designed to support maximum loads, including possible ponding of water from any source, including snow, due to deflection, may have a design slope of a minimum of one-eighth unit vertical in 12 units horizontal (1-percent slope).

## IBC SECTION 1510

*\*IBC Section 1510.1.1; added to read as follows:*

**1510.1.1 Permit required.** Roofing shall not occur, nor shall replacement roofing be applied without first obtaining a permit when required by Section 105.

*\*IBC Section 1510.3; add an item #4 to read as follows:*

4. It has not been demonstrated that the roof structure is sufficient to sustain the weight of the additional dead load of the new roofing.

*\*IBC Sections 1510.7, 1510.8 and 1510.9; added to read as follows:*

**1510.7 Maintain existing provisions.** When reroofing, or repairing existing roofing, the installer is required to insure the following items are maintained:

1. Existing roof drains and drainage systems are maintained clear and unobstructed. When in the opinion of the Building Official the existing drainage system appears inadequate, the system shall be re-evaluated and when necessary required to comply with the provisions for new construction.
2. Fire-retardant requirements are maintained.

**1510.8 Attic space.** Construction of a sloped or flat roof over an existing roof in a manner that creates an attic or a concealed space shall require the removal of any existing roofing material, composed of tar, asphalt or roof insulation, from the newly created attic space.

**1510.9 Inspections.** When a permit is required, a final inspection and approval shall be obtained from the Building Official when the re-roofing or installation of new roof is complete.

## IBC SECTION 1610

*\*IBC Section 1610.2; add a paragraph to read as follows:*

Wood retaining walls exceeding four (4) feet in height shall be constructed of new wood properly treated for such use. Measurement shall be from the bottom of the footing to the top of the wall. See Section 105.2, item #4 for retaining walls in succession.

## IBC SECTION 1612

*\*IBC Section 1612.1; changed to read as follows:*

**1612.1 General.** Within flood hazard areas as established in other City ordinances ~~Section 1612.3~~, all new construction of buildings, structures and portions of buildings and structures, including substantial improvements and restoration of substantial damage to buildings and structures, shall be designed and constructed to resist the effects of flood hazards and flood loads in accordance with applicable provisions adopted by the Department of Engineering.

At the discretion of the Director of Engineering, or his authorized representative, any or all of the provisions of this section may be used.

*\*IBC Section 1612.3; delete.*

## IBC SECTION 1702

*\*IBC Section 1702; delete the definition of "Approved Fabricator."*

## IBC SECTION 1704

*\*IBC Section 1704.1.1; delete.*

*\*IBC Section 1704.14; changed to read as follows:*

**1704.14 Special inspections for smoke control.** Smoke control systems shall be tested by a special inspector in accordance with this section, Section 909.18 and as directed by the Fire Chief.

## IBC SECTION 1802

*\*IBC Section 1802.7; added to read as follows:*

**1802.7 Minimum distance of swimming pools from foundations.** Swimming pools may not be closer to a building foundation than one horizontal foot at finish grade for every vertical foot of swimming pool depth.

**Exception:** Systems designed by an engineer registered in the State of Texas.

For glazing within 60" horizontal distance of the water's edge, see Section 2406.3, item 9.

### **IBC SECTION 1803**

*\*IBC Section 1803.7; added to read as follows:*

**1803.7 Hazards.** Whenever the building official determines that any existing excavation or embankment or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the building official, shall within the period specified therein repair or eliminate such excavation or embankment to eliminate the hazard and to be in conformance with the requirements of this code.

### **IBC SECTION 1805**

*\*IBC Section 1805.4.2; add exception #2 to read as follows to read as follows:*

2. Unless in soils considered inadequate, as determined by the Building Official, for structures of standard construction in which engineering design is not used, Figure No. 1805.4.2(a) may be accepted as an alternate foundation design for the occupancies and conditions specified.

### **FIGURE NO. 1805.4.2(a)**

*\*Figure No. 1805.4.2(a) is added as follows:*

FIGURE NO. 1805.4.2(a)

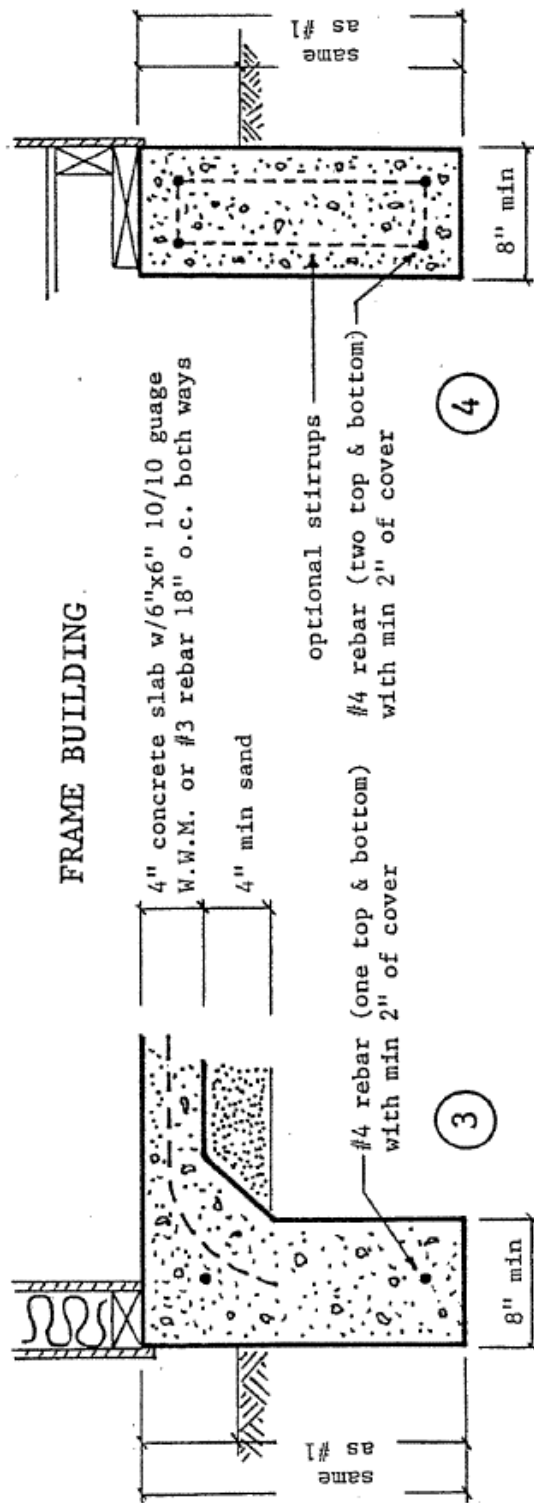
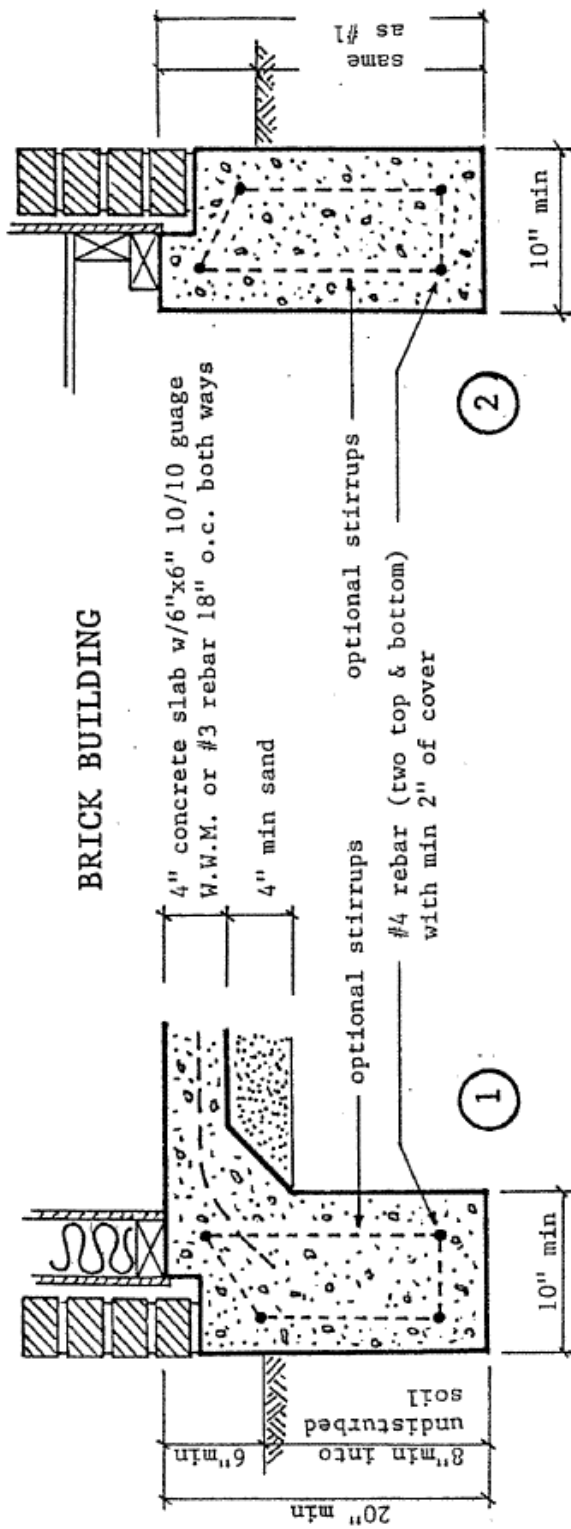
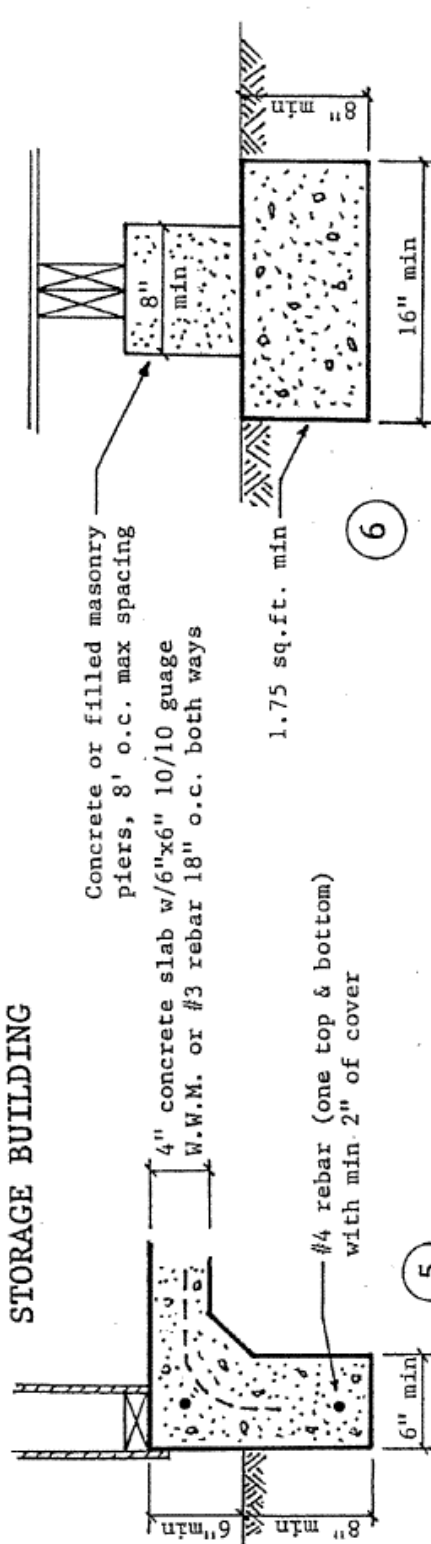
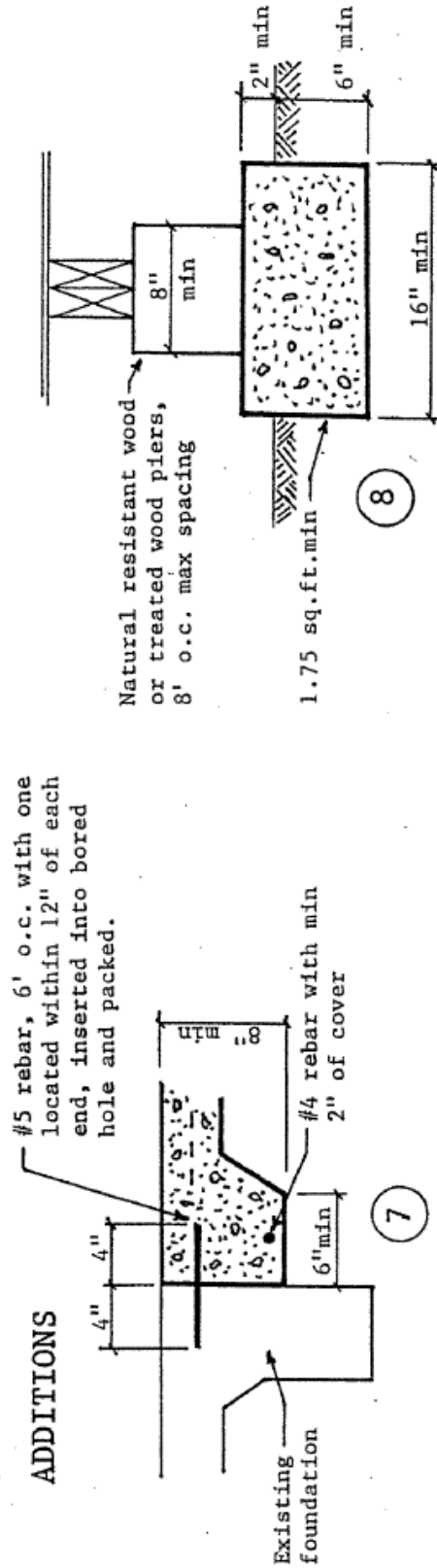


FIGURE NO. 1805.4.2(a)

# STORAGE BUILDING



# ISOLATED FOOTINGS



NOTE: When approved by the Building Official, figures #1 through #8 may be used for the following:

1. Groups R and U Occupancies not exceeding two (2) stories in height and of light framing construction; and,
2. Groups B, E, F, H and S Occupancies not exceeding either one (1) story in height, two thousand (2000) square feet in area, or a Unit Live Load of fifty (50) pounds per square foot.

## IBC SECTION 2304

\*IBC Section 2304.11.6; add an exception to read as follows:

**Exception:** When chemicals or other methods of protection are undesirable to the home owner/buyer.

## IBC SECTION 2308

\*IBC Section 2308.2.3; added to read as follows:

**2308.2.3 Application to engineered design.** When accepted by the code official, any portion of this section is permitted to apply to buildings that are otherwise outside the limitations of this section provided that:

1. The resulting design will comply with the requirements specified in Chapter 16;
2. The load limitations of various elements of this section are not exceeded; and,
3. The portions of this section which will apply are identified by an engineer in the construction documents.

\*IBC Section 2308.9.8; add an exception to read as follows:

**Exception:** When using a double top plate, a 3 inch wide metal tie with three nails on each side for each plate, a total of six nails per side, may be used. Piping and duct protection as required in other codes will still be required.

## IBC SECTION 2702

\*IBC Section 2702.1.2, 2702.1.3 and 2702.1.4; added to read as follows:

**2702.1.2 Fuel supply.** An on-premises fuel supply, sufficient for not less than 2-hour full-demand operation of the system, shall be provided.

**Exception:** Where the system is supplied with pipeline natural gas and is approved.

**2702.1.3 Capacity.** The standby system shall have a capacity and rating that supplies equipment required to be operational at the same time. The generating capacity is not required to be sized to operate all of the connected electrical equipment simultaneously if automatic load-shedding is provided. Unless otherwise specified in this code, the system shall be equipped with suitable means for automatically starting the generator upon failure of

the normal electrical supply systems. The system shall be at full power within 60 seconds of such normal service failure.

**2702.1.4 Emergency systems.** Emergency systems shall operate within 10 seconds of failure of the normal power supply and shall be capable of being transferred to the standby source.

**Exception:** Exit sign, exit and means of egress illumination are permitted to be powered by a standby source in buildings of Groups F and S occupancies.

## IBC SECTION 2901

*\*IBC Section 2901.1; add a sentence to read as follows:*

The provisions of this Chapter are meant to work in coordination with the provisions of Chapter 4 of the Plumbing Code. Should any conflicts arise between the two chapters, the Code Official shall determine which provision applies.

## IBC SECTION 2902

*\*IBC Section 2902.1 and 2902.1.1; changed and 2902.1.2 added to read as follows:*

**2902.1 Minimum number of fixtures.** Plumbing fixtures shall be provided for the type of occupancy and in the minimum number as follows:

1.. Assembly Occupancies: At least one drinking fountain shall be provided at each floor level in an approved location. Water closets shall be provided for the public, for inside or outside uses. Such water closets may be counted for compliance as specified in item #2 for employees.

**Exception:** A drinking fountain need not be provided in a drinking or dining establishment.

2. Groups A, B, F, H, I, M and S Occupancies: Buildings or portions thereof where persons are employed shall be provided with at least one water closet for each sex except as provided for in Section 403.2.

3. Group E Occupancies: Shall be provided with fixtures as shown in Table 403.1.

4. Group R Occupancies: Shall be provided with fixtures as shown in Table 403.1.

5. Self-service storage facilities: shall be provided with one unisex accessible restroom for tenant usage.

6. Each Recreational Vehicle Park, or portion of a Manufactured Home Park used for



recreational vehicles, shall contain one (1) or more service buildings providing separate sanitary facilities for men and women.

- a. No lot space shall be located farther than five hundred (500) feet from such a service building.
- b. The entrances to such buildings shall be clearly marked to show which gender the facilities serve.
- c. Fixtures shall be provided at the following ratio per twenty (20) lots or fraction thereof:

Toilets:	Men (1) / Women (2)
Urinals:	Men (1)
Lavatories:	Men (1) / Women (1)
Showers:	Men (1) / Women (1)

- d. Each building providing sanitary fixtures shall contain at least one (1) slop sink.
- e. If male and female sanitary facilities are housed within the same structure, they shall be separated by walls extending from the floor to the ceiling.
- f. Toilets shall be located in separate compartments equipped with self-closing doors. Shower stalls shall be individual and equipped with self-closing doors. If dressing compartments are provided, each compartment shall be equipped with a stool or a bench. The rooms shall be screened to prevent direct view of the interior when the exterior doors are open.

It is recommended, but not required, that the minimum number of fixtures provided also comply with the number shown in Table 2902.1. Types of occupancies not shown in Table 2902.1 shall be considered individually by the building official. The number of occupants shall be determined by this code. Occupancy classification shall be determined in accordance with Chapter 3.

**2902.1.1 Unisex toilet and bath fixtures.** Fixtures located within required unisex toilet bathing rooms complying with Section 1109.2.1 ~~404 of the International Plumbing Code~~ are permitted to be included in determining the minimum required number of fixtures for assembly and mercantile occupancies.

**2902.1.2 Finish material.** Finish materials shall comply with Section 1210.

*\*IBC Section 2902.2; changed to read as follows:*

**2902.2 Separate facilities.** Where plumbing fixtures are required, separate facilities shall be provided for each sex.

**Exceptions:**

1. Separate facilities shall not be required for private residential dwelling unit or sleeping room facilities.
2. Separate employee facilities shall not be required in occupancies, other than mercantile or where food and beverages are served for consumption on the premise, in which 15 or fewer people are employed.
3. Separate facilities shall not be required in structures or tenant spaces, where food and beverages are served for consumption on the premise with a total occupant load, including both employees and customers, of less than 50 ~~45 or less~~.
4. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 ~~50~~ or less.
5. The separate sex water closets (male and female) required for the public in Assembly uses, including outside uses, may be counted for compliance with employee water closet requirements.
6. Self-service storage facilities need only provide one unisex restroom for storage tenant usage. A single unisex employee restroom, when permitted and when accessible by the tenants, may count for such restroom. Such restroom shall be located near the facility entrance. Spaces converted to other uses than self-service storage shall comply with other applicable restroom provisions for that usage.
7. Aircraft T-hangar facilities need not install tenant restrooms when in compliance with the following:
  - a. Each such tenant hangar space is less than 2,000 square feet in area.
  - b. There are separate sex (male and female) restrooms located within 500 of the lease space.

**IBC SECTION 3001**

*\*IBC Section 3001.5; added to read as follows:*

**3001.5 General.** The owner shall be responsible for the safe operation and maintenance of each elevator, dumbwaiter, escalator or moving walk installation and shall cause periodic inspections, tests and maintenance to be made on such conveyances.

**IBC SECTION 3103**

*\*IBC Section 3103; delete.*

**IBC SECTION 3109**

*\*IBC Section 3109.1; add a second, third and fourth paragraph to read as follows:*

The purpose of this section is to provide a higher degree of protection against potential drowning, especially among children, through the use of safety barriers. It is not intended as a substitute for adult supervision of children in pool areas or adult responsibility for supervision of access to such areas.

The city recommends that all persons be taught how to swim.

The provisions of this section may be enforced by other code enforcement divisions of this city but interpretation authority shall be retained by the Building Official.

*\*IBC Section 3109.2; add new definitions to read as follows:*

**Barrier** means a fence, wall, building wall or combination thereof, which completely surrounds the swimming pool and obstructs access to a swimming pool.

**Swimming Pool, Indoor.** A swimming pool which is totally contained within a structure and surrounded on all four sides by walls of said structure.

**Swimming Pool, Outdoor.** Any swimming pool which is not an indoor pool.

*\*IBC Section 3109.3; changed and 3109.3.1 through 3109.3.6 added to read as follows:*

**3109.3 Public and Existing swimming pools.** Compliance shall be as listed below:

1. For pools constructed on or after October 1, 1993 for use with Group R, Division 3 Occupancies, see the appropriate provisions in the code in effect when the pool was constructed as follows:
  - a. 12-4-98 to 7-1-01, see 1997 UBC, Appendix Chapter 4 with amendments - Ord 13625.
  - b. 7-1-01 to present, see IBC Chapter 31 and IRC Appendix Chapter G with amendments, as adopted at time of constructed.
2. For pools owned, controlled, or maintained by the owner of a multiunit rental complex or by a property owners association, see the appropriate state law, Chapter 214, Local Government Code, Subchapter C, "Swimming Pool Enclosures", and Subtitle A, Title 9, Health and Safety Code, Chapter 757, "Pool Yard Enclosures", which are both adopted herein by reference.
3. For public pools, see the appropriate state law, Texas Department of Health

Standards for Public Swimming Pool/Spa, Sections 265.181 through 265.207, which is adopted herein by reference. (Note: Only the applicable sections relating to pool enclosures, Building Code, Energy Code, Electrical Code, Mechanical Code or Plumbing Code items are adopted herein. Other sections, if adopted, are enforced by other city departments.)

4. For all other pools not covered by items 1, 2 or 3 above, regardless of date of installation, see Sections 3109.3.1 through 3109.3.6.

**3109.3.1 ~~Public swimming pools~~** Pools shall be completely enclosed by a fence at least 4 feet (1290 mm) in height or a screen enclosure. Such barrier shall comply with provisions of the zoning ordinance and other applicable city codes and ordinances.

A wall of a dwelling or structure is permitted to serve as part of the barrier. Natural topographical barriers such as lakes, rivers, retaining walls, impenetrable hedges, and inaccessible inclines may be substituted as part of the barrier.

**3109.3.2** Openings in the fence shall not permit the passage of a 4-inch (102 mm) diameter sphere.

**3109.3.3** The fence or screen enclosure shall be equipped with self-closing and self-latching gates. Pedestrian access gates shall open outward away from the pool. All gates or doors opening through such barriers shall be equipped with a device for keeping the gate or door securely closed at all times when not in actual use, except that the door of any dwelling or dwelling unit which forms a part of the barrier need not be so equipped. Such closure device shall be attached not less than forty (40) inches above grade. Such gates or doors shall be kept securely closed at all times when not in actual use.

Temporary access through a barrier may be permitted during construction if a temporary barrier is provided during times when such access is not in use.

**3109.3.4** No person in possession of land within the city, either as owner, purchaser, lessee, tenant or licensee, upon which is situated an outdoor swimming pool, shall fail to provide a barrier as herein provided.

**3109.3.5 Exemptions.** The following are exempt from the barrier requirements of this subsection:

1. Indoor swimming pools.
2. Outdoor swimming pools less than twenty-four (24) inches in depth.
3. Outdoor swimming pools where the pool decking or pool top is at least forty-six (46) inches higher than adjoining grade, provided that their access ladder or steps can be locked or blocked in a manner approved by the Building Official when

such ladder or steps are not in use.

4. The side of an outdoor swimming pool facing a private golf course or other restricted access area where the erection of barriers is prohibited by deed restrictions.
5. Portable spas or portable hot tubs with safety covers of a type approved by the Building Official.

**3109.3.6 Modifications.** The Building Official may make modifications in individual cases, upon a showing of good cause with respect to the height, dimension of openings, nature or location of barrier, or the necessity thereof, provided the protection as sought hereunder is not reduced thereby. The Building Official may permit other protective devices or structures to be used so long as the degree of protection afforded by the substitute devices or structures is not less than the protection afforded by the barrier described in this division.

*\*IBC Section 3109.4.1; add exceptions to read as follows:*

**Exceptions:** 1. The side of an outdoor swimming pool facing a private golf course or other restricted access area where the erection of barriers is prohibited by deed restrictions need not have a barrier on that side.

2. Natural topographical barriers such as lakes, rivers, retaining walls, impenetrable hedges, and inaccessible inclines may be substituted as part of the barrier.

*\*IBC Section 3109.4.1.3; add an exception to read as follows:*

**Exception:** When horizontal members are part of a fence that is at least 6 feet (1830 mm) in height, the horizontal members need not be on the pool side of the barrier.

## **IBC SECTION 3202**

*\*IBC Section 3201.1; add a sentence to read as follows:*

Encroachments shall require an executed agreement as required by Division II or Division III of this Chapter.

\*IBC Section 3201.4; changed to read as follows:

**3201.4 Drainage.** Drainage water collected from a roof, awning, canopy or marquee, and condensate from mechanical equipment shall not flow over a public walking surface except as permitted by Section 1101 of the Plumbing Code.

## **IBC SECTION 3202**

\*IBC Section 3202.2; add an exception to read as follows:

**Exception:** Doors, landings and steps authorized with an encroachment agreement approved by City Council may project into the public right-of-way.

\*IBC Section 3202.4; delete.

*\*IBC Chapter 32, Divisions II and III; added to read as follows:*

## **Division II Encroachment of Public Property**

### **TEMPORARY ENCROACHMENTS**

**3203 General.** No person, firm, or corporation shall use or occupy a public street, alley, or sidewalk without first complying with the requirements of this chapter.

**Exceptions:** 1. Use of public property for work that does not fall under the jurisdiction of the Building, Energy, Electrical, Mechanical, Plumbing, Residential or Sign Codes.

2. Entire street widths may be approved for closure by the Director of Transportation and Public Works, provided the length of time does not exceed one 8-hour day. For this purpose, no encroachment is required under this chapter.

Temporary encroachments may be used to permit the temporary use of public property for other purposes besides construction or demolition. The Department of Transportation/Public Works in these cases shall formulate a policy covering such use.

#### **3204 - Permit Required**

**3204 General.** Temporary encroachment of public property shall not occur until the applicant executes a Temporary Consent Agreement with the City and obtains an Encroachment Permit from the Building Official.

**3204.1 Temporary Consent Agreement.** The applicant shall execute three (3) copies of a Consent Agreement with the City upon forms furnished by the Building Official. The forms for such agreement shall be approved from time to time by the City Attorney. Executed forms shall be kept and made available in the offices of the Building Official and City Secretary.

**3204.2 Liability Insurance.** The Temporary Consent Agreements shall be accompanied by proof that the applicant has secured and paid for a policy of public liability insurance covering all public risks related to the proposed use and occupancy of public property as described in the agreement and permits. The amount of insurance coverage shall be at least the maximum amounts of liability which can be imposed upon the City under State law.

Each such insurance policy shall provide that it cannot be canceled or amended without at least ten (10) days advance written notice to the City. Insurance shall be maintained for the length of encroachment.

**3204.3 Plans.** Each Temporary Consent Agreement shall be accompanied by a plan showing the location and amount of public property to be occupied; the location of all railings, fences, canopies and construction offices, sheds and other appurtenances; and the nature and location of all warning devices necessary to protect pedestrian and vehicular traffic.

The Encroachment Permit shall not be considered as a construction permit for the items required to be shown on the plan except those required for pedestrian protection as required by Chapter 33.

**3204.4 Permit Fee.** The applicant shall pay a permit fee based upon the area used and the expected length of use as follows:

1. If the time does not exceed three (3) days, the fee will be \$42.80 per day up to and including the third day;
2. If the time exceeds three (3) days, the fee per day will be one and one-half cents (\$.015) per square foot of sidewalk or alley space and three cents (\$.03) per square foot of street space used with a minimum fee of \$128.40 per permit.

If the length of time is underestimated, an additional permit fee will be required. If the fee is paid before the permit expires, the permit can be extended. If after the permit expires, a new permit must be applied for.

**3204.5 Issuance.** The Building Official shall issue an Encroachment Permit when the applicant has complied with all the provisions of this chapter.

**3205 Refund.** If the length of time is overestimated, the Building Official shall, upon requests, calculate the permit fee based upon the actual number of days and return any overages to the applicant except that a minimum of the amounts listed in Section 3204.4 per permit will be kept.

**3206 Inspections.** An inspection must be obtained after all barricades, fences, railings and other forms of pedestrian and vehicular protection are in place. A final inspection must be obtained after all such items are removed.

## **3207 - Building Official Authority**

**3207 General.** The Building Official is hereby authorized to execute the Encroachment Agreement on behalf of the City for temporary use or occupancy of public property for areas as listed in this section. Areas larger than those specified herein will require City Council approval before the Agreement can be executed.

**3207.1 Area.** The Building Official and the Director of Transportation and Public Works shall determine the area of street, alley or public sidewalk which may be used during the construction or demolition period for work space and for storage of materials and equipment. Such area shall be based upon the actual need of the builder, with due consideration being



given to public inconvenience.

The area allowed for use without requiring City Council approval shall be as follows:

1. Not more than two (2)-lanes of a four (4)-lane street; nor one (1)-lane of a two (2)-lane street; nor one (1)-lane of a one way street may be blocked.
2. Alleys adjoining a building site provided that a clear and unobstructed roadway of not less than 10 feet in width is maintained through such alley if such roadway is required for use by fire trucks, garbage trucks or for access to public utilities or other buildings on the alley.
3. Any portion of a public sidewalk adjoining a building site except the walkway area required to be maintained for public use.
4. Notwithstanding the above provisions, no use will be authorized within 8 feet 6 inches of the center line of any railway track.

### **3208 - Special Provisions**

**3208.1 Earth and Rubbish.** Earth or other waste material taken from buildings shall not be stored either upon sidewalks or streets, but shall be removed therefrom each day upon accumulation. When dry rubbish is being handled, same shall be wetted so as to prevent dust and blowing debris.

**3208.2 Demolition.** No wrecked or waste materials shall be placed upon any floor of any building during the course of demolition so as to cause the overloading of such floor. Such materials shall be lowered to the ground immediately upon displacement. No material shall be thrown from a building to a sidewalk or pavement but shall be conveyed to the ground by properly constructed chutes.

Blasting, pulling or throwing of masonry walls shall not be permitted except in emergencies as approved by the Fire Chief and the Building Official.

## **Division III Encroachment of Public Property**

### **PERMANENT ENCROACHMENTS**

**3209 General.** No part of any building or structure, or any appendage thereto, that is not in compliance with the provisions of this chapter shall project into public property.

**Exceptions:** 1. Gratings over openings in public property which have openings not exceeding 7/16 inch and are designed to withstand loads in excess of

150 pounds psf may permanently occupy public property.

2. Environmental monitoring wells when approved by the authority authorized to the Environmental Management Department.

3. Backflow protection devices when approved by the authority authorized to the Water Department.

## **3210 - Consent Agreements**

**3210.1 General.** All permanent encroachments into public property shall require a duly executed Consent Agreement approved by City Council.

**Exceptions:** 1. The Building Official is hereby authorized to execute Consent Agreements on behalf of the City covering signs that do not project more than two (2) feet over public property when all requirements of this Code, the Sign Code and the Comprehensive Zoning Code have been satisfied.

2. The Planning and Development Director is hereby authorized to execute Consent Agreements on behalf of the City, except as provided in Exception #1 above, when the encroachment beyond the property line extends no closer than within 18 inches of the face of the curb.

**3210.2 Application.** The applicant shall execute three (3) copies of a Consent Agreement with the City upon forms furnished by the Building Official. The forms for such agreement shall be approved from time to time by the City Attorney. Executed forms shall be kept and made available in the offices of the Building Official and City Secretary.

**3210.3 Insurance.** The Consent Agreements shall be accompanied by proof that the applicant has secured and paid for a policy of public liability insurance covering all public property as described in the Agreement. The amount of insurance coverage shall be at least the maximum amounts of liability which can be imposed upon the City under State law.

Each insurance policy shall provide that it cannot be canceled or amended without at least ten (10) days advanced written notice to the City. Insurance shall be maintained for the length of the encroachment.

**3210.4 Plans.** Each Consent Agreement shall be accompanied by a plan showing the location and amount of public property to be occupied with details of the structure of encroachment.

**3210.5 Fee.** Along with the Consent Agreements the applicant shall pay a non-refundable application fee as follows:

Approved by	Fee
1. Building Official . . . . .	\$170.00
2. Planning and Development Director	\$200.00
3. City Council . . . . .	\$500.00

**3211 Permits.** Approval of the Consent Agreement does not eliminate the need for proper permits to do work as required by any code of the City. No work may commence without a permit as required by appropriate codes.

**3212 Signs.** Advertising signs projecting into public property are to be considered a permanent occupancy of public property.

**Exception:** An identification sign displayed as part of the marquee, provided the sign contains no off-premise advertising, is displayed to identify or locate the building or place of business and the height of the message does not exceed three (3) feet.

Signs that are covered by existing Consent Agreements shall have those Consent Agreements become null and void when a sign is altered in size, removed or requires structural repair.

## **IBC SECTION 3305**

*\*IBC Section 3305.1; changed to read as follows:*

**3305.1 Facilities required.** Sanitary facilities shall be provided for occupants and customers during construction, remodeling or demolition activities in accordance with the *International Plumbing Code*.

**Exception:** When the remodel includes the sanitary facilities, other facilities must be available or temporary facilities provided.

## **IBC SECTION 3306**

*\*IBC Section 3306.1; add a second paragraph to read as follows:*

When falling debris may, in the opinion of the Building Official, create a hazardous situation to pedestrians or motorists, barriers shall be required as specified in Section 3306.6.

*\*IBC Section 3306.2; add second paragraph to read as follows:*

When authorization to close the sidewalk is obtained, the Building Official may permit a solid fence. The contractor shall place pedestrian warning signs on each side of the barricade at corners occupied by said barricades. The pedestrian signs shall read as follows:

WARNING

“Pedestrians are required by law to use  
the opposite side of the street.”

WARNING

“No Parking or Standing of Vehicles.”

\*IBC Chapter 34; change title to read as follows:

**Chapter 34**  
**EXISTING STRUCTURES**  
**(Fort Worth Rehab Code)**

**Division I - General**

**IBC SECTION 3401**

\*IBC Section 3401.1; change to read as follows:

**3401.1 Scope.** The provisions of this chapter shall control the alteration, repair, addition and change of occupancy of existing structures as well as prescribe retroactive provisions as required in Divisions II through IV. Regardless of the date of construction, buildings and structures shall be maintained in accordance with the provisions required at the date of construction, except that buildings shall, as a minimum, comply with the provisions expressed in this chapter.

**Exception:** When permitted by the code official, buildings and structures may be allowed to use provisions of more modern codes in lieu of maintaining the provisions required at the date of construction.

This Chapter, including the references to other codes and the mandatory retroactive provisions, shall be considered as expressing this jurisdiction’s prescriptive provisions for the rehabilitation of existing buildings. The enforcement of this Chapter shall be considered consistent with the enforcement of this Building Code and other codes. Any provision not addressed in this Chapter shall fall under the requirements found elsewhere in this code or in other codes, as determined by the Building Official.

**IBC SECTION 3403**

\*IBC Section 3403.4; change to read as follows:

**3403.4 Stairways.** An alteration or the replacement of an existing stairway in an existing structure shall not be required to comply with the requirements of a new stairway as outlined in Section 1009 under the following conditions:

1. where, in the opinion of the Building Official, the existing space and construction will not allow a reduction in pitch or slope nor will it create a hazardous situation;  
or,
2. there is not a change of occupancy.

*\*IBC Section 3403.5 and 3403.6; added to read as follows:*

**3403.5 Yards.** When yards are provided for determination of Exterior Wall rating, Exterior Opening Protection or increase in allowable area calculations, under this code or any previous code, they shall be maintained clear and unobstructed in accordance with their original approval, unless permitted to be removed or reduced by this code.

**3403.6 Fire protection systems.** Any existing fire extinguishing system or fire alarm system, whether installed voluntarily or as a requirement of any previous code, shall be maintained and kept operational as required in the Fire Code. Such systems shall not be removed unless permitted to be removed or reduced by this code and the Fire Code.

## **IBC SECTION 3404**

*\*IBC Section 3404.1.1; changed to read as follows:*

**3404.1.1 New buildings.** Fire escapes shall not be installed ~~constitute any part of the required means of egress~~ in new buildings.

*\*IBC Section 3404.1.3; change to read as follows:*

**3404.1.3 Replacement New fire escapes.** Replacement ~~New~~ fire escapes for existing buildings shall be permitted only where exterior stairs cannot be utilized due to lot lines limiting stair size or due to the sidewalks, alleys or roads at grade level. Replacement ~~New~~ fire escapes shall not incorporate ladders or access by windows except for Historic buildings as specified in Section 3407.1.

## **IBC SECTION 3406**

*\*IBC Section 3406.2; change to read as follows:*

**3406.2 Certificate of occupancy.** A certificate of occupancy shall be issued where it has been determined that the requirements of this code and other laws for the new occupancy

classification have been met.

## IBC SECTION 3409

*\*IBC Section 3409.1; add an exception #2 to read as follows:*

2. Buildings regulated under State Law and built in accordance with State certified plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of this section. When associated with a Change of Use, accessible features shall be provided in accordance with Section 3409.3 but may be designed in accordance with plans approved by the State.

*\*IBC Section 3409.3; changed to read as follows:*

**3409.3 Change of occupancy.** Existing buildings, or portions thereof, that undergo a change of group or occupancy shall have all of the following accessible features:

1. At least one accessible building entrance.
2. At least one accessible route from an accessible building entrance to primary function areas.
3. Signage complying with Section 1110.
4. Accessible parking, where parking is being provided.
5. At least one accessible passenger loading zone, when loading zones are provided.
6. At least one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.
7. Accessible restrooms shall be required in accordance with Section 2902.

### **Exceptions:**

- a. A new use that requires two accessible restrooms in a space where one non-accessible restroom already exists shall only require the addition of a second unisex accessible restroom.
- b. A new use that requires two accessible restrooms in a space where two non-accessible restrooms already exists shall only require the conversion of one restroom to a unisex accessible restroom, or the installation of a third unisex accessible restroom.
- c. When the change of use is to an equal or lower use group, in the order as listed below, the number of required restrooms shall be provided as listed in this section but any existing restroom need not be upgraded to accessibility requirements.

Group A – where food and beverages are served for consumption on the

premise  
Group E  
Group B – where food and beverages are served for consumption on the  
premise  
Group M  
Group I  
Group A – other than as listed above  
Group B – other than as listed above  
Group F, S  
Group H  
Group R

Where it is technically infeasible to comply with the new construction standards for any of these requirements for a change of group or occupancy, the above items shall conform to the requirements to the maximum extent technically feasible. Change of group or occupancy that incorporates any alterations or additions shall comply with the provisions for new construction for such alterations or additions. Other areas not involved with the alteration or addition work shall comply with this section and Sections 3409.4, 3409.5, 3409.6 and 3409.7.

*\*IBC Section 3409.6; delete exception #1.*

*\*IBC Section 3409.7.7; changed to read as follows:*

**3409.7.7 Dwelling or sleeping units.** Where I-1, I-2, I-3, R-1, R-2 or R-4 dwelling or sleeping units are being altered or added, the requirements of Section 1107 for Accessible or Type A units ~~and Chapter 9 for accessible alarms~~ apply only to the quantity of spaces being altered or added. Alarm compliance shall be in accordance with the Fire Code.

## **IBC SECTION 3410**

*\*IBC Section 3410.2; change to read as follows:*

**3410.2 Applicability.** Any structure older, or that becomes older, than 50 years ~~Structures existing prior to~~ in which there is work . . . {remainder of section unchanged} . . .

## **IBC SECTION 3411 – 3416**

**Sections 3411 – 3416 – Reserved.**



\*IBC Chapter 34, Division II added to read as follows:

## **Chapter 34**

### **Division II - All Structures**

**3417 Scope.** The provisions of this division shall apply to all existing buildings. These provisions may be enforced by other code enforcement divisions of this city but interpretation authority shall be retained by the building official.

**3417.1 Certificate of Occupancy.** Those premises not posting a Certificate of Occupancy shall be required to comply with Section 110 of this code. A Certificate of Occupancy shall not be withheld based on non-compliance when a building meets the ordinance under which it was constructed provided the non-compliance items are not considered hazardous. This provision shall not waive the requirement to comply with any retroactive provision of any applicable ordinance.

**[F] 3417.2 Fire Alarms/Smoke Detectors.** Regardless of the date of occupancy, approved fire alarms/smoke detectors shall be provided in accordance with Sections 907.3 and 907.21 of the Fire Code.

**3417.3 Fire-suppression systems.** Fire suppressions systems shall be installed as required by Section 903.6, 3425.3 and 3430.

**3417.4 Swimming Pool Barriers.** Compliance shall be as listed below:

1. For pools constructed on or after October 1, 1993 for use with Group R, Division 3 Occupancies, see the appropriate provisions in the code in effect when the pool was constructed as follows:
  - a. 12-4-98 to 7-1-01, see 1997 UBC, Appendix Chapter 4 with amendments - Ord 13625.
  - b. 7-1-01 to present, see IBC Chapter 31 and IRC Appendix Chapter G with amendments, as adopted at time of constructed.
2. For pools owned, controlled, or maintained by the owner of a multiunit rental complex or by a property owners association, see the appropriate state law, Chapter 214, Local Government Code, Subchapter C, "Swimming Pool Enclosures", and Subtitle A, Title 9, Health and Safety Code, Chapter 757, "Pool Yard Enclosures", which are both adopted herein by reference.
1. For public pools, see the appropriate state law, Texas Department of Health Standards for Public Swimming Pool/Spa, Sections 265.181 through 265.207, which is adopted herein by reference. (Note: Only the applicable sections relating to pool enclosures, Building Code, Electrical Code, Mechanical Code or

Plumbing Code items are adopted herein. Other sections, if adopted, are enforced by other city departments.)

2. For all other pools not covered by items 1, 2 or 3 above, regardless of date of installation, see Chapter 31.

**3418 Minimum Building Standards Code.** As provided for in Section 7-67, and as further detailed in Sections 7-87, 7-88, 7-89, 7-90 and 7-91 of the City Code, which is more specifically known as the Minimum Building Standards Code, those provisions setting minimum standards that relate to Building Code items for buildings and structures shall be considered as part of this code.

Enforcement of these sections may be performed by other departments or divisions of the City of Fort Worth. However, as provisions of this code, final interpretation, appeals of interpretation, requests for variances, etc. shall be handled as described in this code.

**3419** (No requirements.)

*\*IBC Chapter 34, Division III; added to read as follows:*

**Chapter 34**  
**Division III-LIFE-SAFETY REQUIREMENTS FOR**  
**EXISTING HIGH-RISE BUILDINGS**

**SECTION 3420 - SCOPE**

These provisions apply to all existing buildings constructed prior to the adoption of this chapter, each having floors used for human occupancy located more than 75 feet (22 860 mm) above the lowest level of fire department vehicle access.

- Exceptions:** 1. Group I, Division 3 Occupancies need only comply with Section 3425.1.10.  
2. Open parking garages in compliance with Section 406.3.

**SECTION 3421 - GENERAL**

Existing high-rise buildings as specified in Section 3413 shall be modified to conform with not less than the minimum provisions specified in Table 34-A and as further enumerated within this division.

The provisions of this division shall not be construed to allow the elimination of fire-protection systems or a reduction in the level of fire safety provided in buildings constructed in conformance with previously adopted codes.

**SECTION 3422 - COMPLIANCE DATA**

Within eighteen (18) months after notice is given, plans and specifications for the necessary alterations shall be filed with the Building Official for review. Work on the required alterations to the building shall commence within thirty (30) months of the date of notification and such work shall be completed within five (5) years from the date of notification.

The Building Official may grant necessary extensions of time when it can be shown that the specified time periods are not physically practical or pose an undue hardship. The granting of an extension of time for compliance shall be based on the showing of good cause and subject to the filing of an acceptable systematic progressive plan of correction with the Building Official.

**SECTION 3423 - AUTHORITY OF THE BUILDING OFFICIAL**

For the purpose of applying the provisions of this division, the building official shall have the authority to consider alternative approaches and grant necessary deviations from this division as follows:

1. Allow alternate materials or methods of compliance if such alternate materials or methods of compliance will provide levels of fire and life safety equal to or greater than those specifically set forth in this division.
2. Waive specific individual requirements if it can be shown that such requirements are not physically possible or practical and that a practical alternative cannot be provided.

## **SECTION 3424 - APPEALS BOARD**

Appeals of the determinations of the building official in applying the provisions of this code may be made by an appeal directed to the board of appeals as established by Section 112 of this code.

## **SECTION 3425 - SPECIFIC PROVISIONS AND ALTERNATES**

**3425.1 Specific Provisions.** The following provisions shall apply when required by Table 34-A.

**3425.1.1 Type of construction.** (No requirements.)

**3425.1.2 Automatic sprinklers.** (No requirements.)

**3425.1.3 Fire department communication system.** A communication system acceptable to the fire department shall be installed within the existing high-rise building to permit emergency communication between fire-suppression personnel.

**[F] 3425.1.4 Single-station smoke detectors.** See Sections 907.3 and 907.21 of the Fire Code.

**3425.1.5 Manual fire alarm system.** An approved manual fire alarm system connected to a central, proprietary or remote station service, or an approved manual fire alarm system that will provide an audible signal at a constantly attended location, shall be provided as specified in Section 907.3 of the Fire Code.

**3425.1.6 Occupant voice notification system.** An approved occupant voice notification system shall be provided. Such system shall provide communication from a location acceptable to the fire department and shall permit voice notification to at least all normally occupied areas of the building.

The occupant voice notification system may be combined with a fire alarm system, provided the combined system has been approved and listed for such use. The sounding of a fire alarm signal in any given area or floor shall not prohibit voice communication to other areas or floors. Combination systems shall be designed to permit voice transmission to override the

fire alarm signal, but the fire alarm shall not terminate in less than three minutes.

**3425.1.7 Vertical shaft enclosures.** Openings through two or more floors, except mezzanine floors, that contain a stairway or elevator, shall be provided with vertical shaft enclosure protection as specified herein. Such floor openings, when not enclosed by existing shaft enclosure construction, shall be protected by one-hour fire-resistive-rated shaft enclosure construction. For floor openings that are enclosed by existing shaft enclosure construction having fire-resistive capabilities similar to wood lath and plaster in good condition, 1/2-inch (12.7 mm) gypsum wallboard or approved 1/4-inch-thick (6.4 mm) wired glass is acceptable. Wired glass set in a steel frame may be installed in existing shaft enclosure walls but shall be rendered inoperative and be fixed in a closed position

Openings through two or more floors for other than stairways or elevators, such as openings provided for piping, ducts, gas vents, dumbwaiters, and rubbish and linen chutes, shall be provided with vertical shaft enclosure protection as specified for stairways and elevators.

**Exception:** Openings for piping, ducts, gas vents, dumbwaiters, and rubbish and linen chutes of copper or ferrous construction are permitted without a shaft enclosure, provided the floor openings are effectively firestopped at each floor level.

**3425.1.8 Shaft enclosure opening protection.** Openings other than those provided for elevator doors in new vertical shaft enclosures constructed of one-hour fire-resistive construction shall be equipped with approved fire assemblies having a fire-protection rating of not less than one hour. Openings other than those provided for elevator doors in existing vertical shaft enclosures shall be equipped with approved 20-minute-rated fire assemblies, 1 3/4-inch (44 mm) solid wood doors or the equivalent thereto. Doors shall be either self-closing or automatic closing and automatic latching.

All elevators on all floors shall open into elevator lobbies that are separated from the remainder of the building as is required for corridor construction in the Building Code, unless the building is protected throughout by a sprinkler system.

**3425.1.9 Manual shutoff of heating, ventilating and air-conditioning (HVAC) systems.** Heating, ventilating and air-conditioning systems shall be equipped with manual shutoff controls installed at an approved location when required by the fire department.

**3425.1.10 Automatic elevator recall system.** Elevators shall be equipped with an approved automatic recall system as required by Section 3003.2.

**[F] 3425.1.11 Unlocked stairway doors.** Exit doors into exit stairway enclosures shall be maintained unlocked from the stairway side on at least every incremental fifth floor level and bear a sign stating "ACCESS ONTO FLOOR THIS LEVEL." All other stairway doors into the related exit stairway enclosure may be mechanically or electrically locked from the stairway side. Approved key box required by Section 506.1 of the Fire Code shall contain keys to all stairway doors for Fire Department access.

**Exception:** Stairway doors may be locked, subject to the following conditions:

1. All stairway doors that are to be locked from the stairway side shall have the capability of being unlocked simultaneously without unlatching upon a signal from the Fire Command Center, or an approved location.
2. A telephone or other two-way communications system connected to an approved emergency service that operates continuously shall be provided at not less than every fifth floor in each required stairway.
3. Approved key box required by Section 506.1 of the Fire Code shall contain keys to all stairway doors for Fire Department access.

**3425.1.12 Stair shaft ventilation.** Stair shaft enclosures that extend to the roof shall be provided with an approved manually openable hatch to the exterior having an area not less than 16 square feet (1.486 m<sup>2</sup>) with a minimum dimension of 2 feet (610 mm).

**Exceptions:** 1. Stair shaft enclosures complying with the requirements for pressurized enclosures.

2. Stair shaft enclosures pressurized as required for mechanically operated pressurized enclosures to a minimum of 0.15-inch water column (37 Pa) and a maximum of 0.50-inch water column (124 Pa).

**3425.1.13 Elevator shaft ventilation.** Elevator shaft enclosures that extend to the roof shall be vented to the outside with vents whose area shall not be less than 3 1/2 percent of the area of the elevator shaft, with a minimum of 3 square feet (0.28 m<sup>2</sup>) per elevator.

**Exception:** Where energy conservation or hoistway pressurization requires that the vents be normally closed, automatic venting by actuation of an elevator lobby detector or power failure may be accepted.

**3425.1.14 Posting of elevators.** A permanent sign shall be installed in each elevator cab adjacent to the floor status indicator and at each elevator call station on each floor reading IN FIRE EMERGENCY, DO NOT USE ELEVATOR-USE EXIT STAIRS, or similar verbiage approved by the building official.

**EXCEPTION:** Sign may be omitted at the main entrance floor-level call station.

**3425.1.15 Exit stairways.** All buildings shall have a minimum of two approved exit stairways.

**Exception:** Existing buildings that have a stairway and a fire escape, need not construct the second stairway as required by this subsection, provided the fire escape complies with all of the provisions of Section 3428.4 and the following:

Access from a corridor shall not be through an intervening room; nor shall

access to the fire escape be secured in an area that cannot be freely accessed by any occupant on that floor.

**3425.1.16 Corridor construction.** Corridors serving an occupant load of 30 or more shall have walls and ceilings of not less than one-hour fire-resistive construction as required by this code. Existing walls may be surfaced with wood lath and plaster in good condition or 1/2-inch (12.7 mm) gypsum wallboard for corridor walls and ceilings and occupancy separations when approved.

**3425.1.17 Corridor openings.** Openings in corridor walls and ceilings shall be protected by not less than 1 3/8-inch (35 mm) solid-bonded wood-core doors; approved 1/4-inch-thick (6.4 mm) wired glass; approved fire dampers in accordance with Section 715; or by equivalent protection in lieu of any of these items. Transoms shall be fixed closed and covered with 1/2-inch (12.7 mm) Type X gypsum wall-board or equivalent material installed on both sides of the opening.

**Exception:** Where an approved fire alarm system is installed, which includes smoke detection in all common corridors, up to twenty-five percent (25%) of the wall area of the room common to the corridor may be tempered glass installed in metal or solid wood frames. The fire alarm system shall be interfaced with the HVAC system to shut off any central HVAC unit in any area where a fire is detected and shall be installed in accordance with the Fire Code.

**3425.1.18 Corridor door closers.** Exit-access doors into corridors shall be equipped with self-closing devices or shall be automatic closing by actuation of a smoke detector. When spring hinges are used as the closing device, not less than two such hinges shall be installed on each door leaf.

**3425.1.19 Corridor dead ends.** The length of dead-end corridors serving an occupant load of more than 30 shall not exceed thirty-five (35) feet.

**3425.1.20 Interior finish.** The interior finish in corridors, exit stairways and extensions thereof shall conform to the provisions of Chapter 8 of this code and the Fire Code.

**3425.1.21 Exit stairway illumination.** When the building is occupied, exit stairways shall be illuminated with lights having an intensity of not less than 1 footcandle (10.8 lx) at the floor level. Such lighting shall be equipped with an independent alternate source of power such as a battery pack or on-site generator.

**3425.1.22 Corridor illumination.** When the building is occupied, corridors shall be illuminated with lights having an intensity of not less than 1 footcandle (10.8 lx) at the floor level. Such lighting shall be equipped with an independent alternate source of power such as a battery pack or on-site generator.

**3425.1.23 Exit stairway exit signs.** The location of exit stairways shall be clearly indicated

by illuminated exit signs. Such exit signs shall be equipped with an independent alternate source of power such as a battery pack or on-site generator or shall be of an approved self-illuminating type.

**3425.1.24 Exit signs.** Illuminated exit signs shall be provided in all means of egress and located in such a manner as to clearly indicate the direction of egress. Such exit signs shall be equipped with an independent alternate source of power such as a battery pack or on-site generator or shall be of an approved self-illuminating type.

**[F] 3425.1.25 Emergency plan.** The management for all buildings shall establish and maintain a written fire- and life-safety emergency plan in accordance with Section 404 of the Fire Code that has been approved by the fire chief.

**3425.1.26 Posting of emergency plan and exit plans.** Copies of the emergency plan and exiting plans (including elevator and stairway placarding) shall be posted in accordance with Section 404 of the Fire Code in locations approved by the chief.

**[F] 3425.1.27 Fire drills.** The management of all buildings shall conduct fire drills for their staff and employees in accordance with Section 405 of the Fire Code. A written record of each drill shall be maintained in the building management office and made available to the fire department for review.

**[F] 3425.2 Sprinkler Alternatives.** The requirements of Table 34-A may be modified as specified by the following for existing high-rise buildings of Type I (I-A), II-F.R.(I-B), II One-hour (II-A), III One-hour (III-A), IV or V One-hour (V-A) construction when an approved automatic sprinkler system is installed throughout the building in accordance with Section 903.3.1.1:

Item 5-Manual fire alarm system shall not be required.

Item 6-Occupant voice notification system shall not be required; however, if the building is equipped with a public address system, the public address system shall be available for use as an occupant voice notification system.

Item 7-Vertical shaft enclosures may be of nonrated construction for required exit stairway enclosures. Vertical shaft enclosures of openings in floors provided for elevators, escalators and supplemental stairways shall not be required, provided such openings are protected by an approved curtain board and water curtain sprinkler system, as per NFPA 13 requirements.

Item 8-Protection of openings in vertical shaft enclosures may be nonrated but shall not be less than a 1 3/4-inch (44 mm) solid- wood door or the equivalent thereto. Doors shall be either self-closing or automatic closing and automatic latching.

Item 12-Stair shaft ventilation shall not be required.



Item 16-Existing corridor construction need not be altered.

Item 17-Door openings into corridors may be protected by assemblies other than those specified in Section 3425.1, provided an effective smoke barrier is maintained. Closing and latching hardware shall be provided. Protection of duct penetrations is not required.

Item 19-The length of existing corridor dead ends shall not exceed the limits allowed by Sections 3425.1.19 or 1016.3, whichever is less restrictive.

Item 20-Interior finish in means of egress may be reduced by one classification but shall not be less than Class C.

**[F] 3425.3 Basements or Stories.** An approved automatic sprinkler system shall be provided in basements or stories exceeding 1,500 square feet in area and not having a minimum of 20 square feet of opening entirely above the adjoining ground level in each 50 lineal feet or fraction thereof of exterior wall on at least one side of the building. Openings shall have a minimum clear dimension of 30 inches. Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that fire fighting or rescue cannot be accomplished from the exterior.

If any portion of a basement is located more than 75 feet from required openings, the basement shall be provided with an approved automatic sprinkler system throughout.

**3426** – No requirements.

**Table 34-A**  
**Occupancy Classification and Use<sup>1</sup>**

ITEMS REQUIRED	Residential	All Others
1. No requirements. See Section 3425.1.1	---	---
2. No requirements. See Section 3425.1.2	---	---
3. Fire department communication system or radios. See Section 3425.1.3	R	R
4. Single-station smoke detectors. See Section 907.3.	---	---
5. Manual fire alarm system. See Section 3425.1..5	R	R
6. Occupant voice notification system. See Section 3425.1.6	R	R
7. Vertical shaft enclosure walls of one-hour fire resistance. See Section 3425.1.7	R	R
8. Protection of openings in vertical shaft enclosures by 20-minute-rated assemblies. See Section 3425.1.8	R	R
9. Manual shutoff of HVAC systems. See Section 3425.1.9	R	R
10. Automatic elevator recall system. See Section 3425.1.10	R	R
11. Unlocked stairway doors every fifth floor. See Section 3425.1.11	R	R
12. Stair shaft ventilation. See section 3425.1.12	R	R
13. Elevator shaft ventilation. See Section 3425.1.13	R	R
14. Posting of elevators as not intended for exiting purposes. See Section 3425.1.14	R	R
15. Minimum of two exit stairways. See Section 3425.1.15	R	R
16. Corridor wall construction. See Section 3425.1.16	R	R
17. Protected corridor openings with 20-minute-rated assemblies or 1 3/4-inch (44 mm) solid-wood door. See Section 3425.1.17	R	NR
18. Corridor doors equipped with self-closing devices. See Section 3425.1.18	R	NR
19. Corridor dead ends limited to 20 feet (6096 mm) maximum. See Section 3425.1.19	R	NR
20. Interior finish controlled in corridors, exit stairways and extensions thereof. See Section 3425.1.20	R	R
21. Exit stairway illumination. See Section 3425.1.21	R	R
22. Corridor illumination. See Section 3425.1.22	R	NR
23. Exit stairway exit signs. See Section 3425.1.23	R	R
24. Exit signs. See Section 3425.1.24	R	R
25. Emergency planning. See Section 3425.1.25	R	R
26. Posting of emergency instructions. See Section 3425.1.26	R	R
27. Fire drills. See Section 3425.1.27	R	R

<sup>1</sup> R- Provisions are required.

NR- Provisions are not required.

*\*IBC Chapter 34, Division IV; added to read as follows:*

**Chapter 34**  
**Division IV-LIFE-SAFETY REQUIREMENTS**  
**FOR EXISTING BUILDINGS OTHER THAN**  
**HIGH-RISE BUILDINGS**

**SECTION 3427 - GENERAL**

**3427.1 Purpose.** The purpose of this division is to provide a reasonable degree of safety to persons occupying existing buildings by providing for alterations to such existing buildings that do not conform with the minimum requirements of this code.

**Exception:** Group U Occupancies, those high-rise occupancies regulated by Chapter 34, Division III, and Group R, Division 3 Occupancies, except that Group R, Division 3 Occupancies shall comply with Section 3417 and 3418.

**3427.2 Effective date.** Within eighteen (18) months after notice is given, plans for compliance shall be submitted to the Building Official for review. Within thirty-six (36) months after notice is given, the work shall be completed or the building shall be vacated until made to conform.

**3427.3 Alternate Materials and Methods.** Alternate materials and methods may be used, provided such materials or methods comply with the spirit and intent of this chapter.

The Building Official may modify any of the provisions of this division in conformance with Section 3423 of this code.

**SECTION 3428 - EXITS**

**3428.1 Number of Means of Egress.** Every floor above the first story used for human occupancy shall have at least two means of egress, one of which may be an exterior fire escape complying with Section 3428.4.

**Exception:** In all occupancies, second stories with an occupant load of 10 or less may have one means of egress.

**3428.2 Stair Construction.** All required stairs shall have a minimum run of 9 inches (229 mm) and a maximum rise of 8 inches (203 mm) and shall have a minimum width of 30 inches (762 mm) exclusive of handrails. Every stairway shall have at least one handrail. A landing having a minimum 30-inch (762 mm) run in the direction of travel shall be provided at each point of access to the stairway.

**Exception:** Fire escapes as provided for in this section.

Exterior stairs shall be of noncombustible construction.

**Exception:** On buildings of Types III, IV and V construction, provided the exterior stairs are constructed of wood not less than 2-inch (51 mm) nominal thickness.

**[F] 3428.2.1 Unlocked stairway doors.** Exit doors into exit stairway enclosures shall be maintained unlocked from the stairway side on at least every incremental fifth floor level and bear a sign stating "ACCESS ONTO FLOOR THIS LEVEL." All other stairway doors into the related exit stairway enclosure may be mechanically or electrically locked from the stairway side. Approved key box required by Section 506.1 of the Fire Code shall contain keys to all stairway doors for Fire Department access.

**Exception:** Stairway doors may be locked, subject to the following conditions:

1. All stairway doors that are to be locked from the stairway side shall have the capability of being unlocked simultaneously without unlatching upon a signal from an approved location.
2. A telephone or other two-way communications system connected to an approved emergency service that operates continuously shall be provided at not less than every fifth floor in each required stairway.
3. Approved key box required by Section 506.1 of the Fire Code shall contain keys to all stairway doors for Fire Department access.

**3428.3 Corridors.** Corridors of Groups A, B, E, F, H, I, M and R, Divisions 1, 2 and 4, and S Occupancies serving an occupant load of 30 or more, shall have walls and ceilings of not less than one-hour fire-resistive construction as required by this code. Existing walls surfaced with wood lath and plaster in good condition or 1/2-inch (12.7 mm) gypsum wallboard or openings with fixed wired glass set in steel frames are permitted for corridor walls and ceilings and occupancy separations when approved.

Doors opening into such corridors shall be protected by 20-minute fire assemblies or solid wood doors not less than 1 3/4 inches (45 mm) thick. Where the existing frame will not accommodate the 1 3/4-inch-thick (45 mm) door, a 1 3/8-inch-thick (35 mm) solid bonded wood-core door or equivalent insulated steel door shall be permitted. Doors shall be self-closing or automatic closing by smoke detection. Transoms and openings other than doors from corridors to rooms shall comply with Section 714.2.3 of this code or shall be covered with a minimum of 3/4-inch (19.1 mm) plywood or 1/2-inch (12.7 mm) gypsum wallboard or equivalent material on the room side.

**Exceptions:** 1. Existing corridor walls, ceilings and opening protection not in compliance with the above may be continued when such buildings are protected with an approved automatic sprinkler system throughout. Such sprinkler system may be

supplied from the domestic water system if it is of adequate volume and pressure.

2. Where an approved fire alarm system is installed, which includes smoke detection in all common corridors serving as an exit for an occupant load of 30 or more, wall openings may be non-protected except that doorway openings shall have self-closing doors. The fire alarm system shall be interfaced with the HVAC unit in any area where a fire is detected and shall be installed in accordance with the Fire Code.

#### **3428.4 Fire Escapes.**

1. Existing fire escapes that, in the opinion of the building official, comply with the intent of this section may be used as one of the required exits. The location and anchorage of fire escapes shall be of approved design and construction.

2. Fire escapes shall comply with the following:

Access from a corridor shall not be through an intervening room.

All openings within 10 feet (3048 mm) shall be protected by three-fourths-hour fire assemblies. When located within a recess or vestibule, adjacent enclosure walls shall not be of less than one-hour fire-resistive construction.

Egress from the building shall be by a clear opening having a minimum dimension of not less than 29 inches (737 mm). Such openings shall be openable from the inside without the use of a key or special knowledge or effort. The sill of an opening giving access shall not be more than 30 inches (762 mm) above the floor of the building or balcony.

Fire escape stairways and balconies shall support the dead load plus a live load of not less than 100 pounds per square foot (4.79 kN/ m<sup>2</sup>) and shall be provided with a top and intermediate handrail on each side. The pitch of the stairway shall not exceed 60 degrees with a minimum width of 18 inches (457 mm). Treads shall not be less than 4 inches (102 mm) in width and the rise between treads shall not exceed 10 inches (254 mm). All stair and balcony railings shall support a horizontal force of not less than 50 pounds per lineal foot (729.5 N/m) of railing.

Balconies shall not be less than 44 inches (1118 mm) in width with no floor opening other than the stairway opening greater than 5/8 inch (16 mm) in width. Stairway openings in such balconies shall not be less than 22 inches by 44 inches (599 mm by 1118 mm). The balustrade of each balcony shall not be less than 36 inches (914 mm) high with not more than 9 inches (229 mm) between balusters.

Fire escapes shall extend to the roof or provide an approved gooseneck ladder between the top floor landing and the roof when serving buildings four or more stories in height having roofs with a slope of less than 4 units vertical in 12 units horizontal (33.3% slope). Fire escape ladders shall be designed and connected to the building to withstand a

horizontal force of 100 pounds per lineal foot (1459 N/m); each rung shall support a concentrated load of 500 pounds (2224 N) placed anywhere on the rung. All ladders shall be at least 15 inches (381 mm) wide, located within 12 inches (305 mm) of the building and shall be placed flatwise relative to the face of the building. Ladder rungs shall be 3/4 inch (19 mm) in diameter and shall be located 12 inches (305 mm) on center. Openings for roof access ladders through cornices and similar projections shall have minimum dimensions of 30 inches by 33 inches (762 mm by 838 mm).

The lowest balcony shall not be more than 18 feet (5486 mm) from the ground. Fire escapes shall extend to the ground or be provided with counterbalanced stairs reaching to the ground.

Fire escapes shall not take the place of stairways required by the codes under which the building was constructed.

Fire escapes shall be kept clear and unobstructed at all times and maintained in good working order.

**3428.5 Exit and Fire Escape Signs.** Exit signs shall be provided as required by this code.

**Exception:** The use of existing exit signs may be continued when approved by the building official.

All doors or windows providing access to a fire escape shall be provided with fire escape signs.

## **SECTION 3429 - ENCLOSURE OF VERTICAL SHAFTS**

Interior vertical shafts, including but not limited to stairways, elevator hoistways, service and utility shafts, shall be enclosed by a minimum of one-hour fire-resistive construction. All openings into such shafts shall be protected with one-hour fire assemblies that shall be maintained self-closing or be automatic closing by smoke detection. All other openings shall be fire protected in an approved manner. Existing fusible link-type automatic door-closing devices may be permitted if the fusible link rating does not exceed 135°F (57.2°C).

**Exceptions:** 1. In other than Group I Occupancies, an enclosure will not be required for openings serving only one adjacent floor.

2. Stairways need not be enclosed in a continuous vertical shaft if each story is separated from other stories by one-hour fire-resistive construction or approved wired glass set in steel frames. In addition, all exit corridors shall be sprinklered and the openings between the corridor and occupant space shall have at least one sprinkler head above the openings on the tenant side. The sprinkler system may be supplied from the domestic water supply if of adequate volume and pressure.

3. Vertical openings need not be protected if the building is protected by an

approved automatic sprinkler system.

### **SECTION 3430 - BASEMENT ACCESS OR SPRINKLER PROTECTION**

An approved automatic sprinkler system shall be provided in basements or stories exceeding 1,500 square feet (139.3 m<sup>2</sup>) in area and not having a minimum of 20 square feet (1.86 m<sup>2</sup>) of opening entirely above the adjoining ground level in each 50 lineal feet (15 240 mm) or fraction thereof of exterior wall on at least one side of the building. Openings shall have a minimum clear dimension of 30 inches (762 mm). Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that fire fighting or rescue cannot be accomplished from the exterior.

If any portion of a basement is located more than 75 feet (22 860 mm) from required openings, the basement shall be provided with an approved automatic sprinkler system throughout.

### **SECTION 3431 - STANDPIPES**

Any buildings over four stories in height shall be provided with an approved Class I or Class III standpipe system.

### **SECTION 3432 - SMOKE DETECTORS**

[F] **3432.1** See Section 907.3 and 907.21 of the Fire Code.

### **SECTION 3433 - SEPARATION OF OCCUPANCIES**

Occupancy separations shall be provided as specified in Section 302.3 of this code. When approved by the building official, existing wood lath and plaster in good condition or 1/2-inch (12.7 mm) gypsum wallboard may be acceptable where one-hour occupancy separations are required.

## CHAPTER 35 REFERENCED STANDARDS

*Chapter 35, “Referenced Standards”; amend the standards listed below to read as follows:*

**ASME** American Society of Mechanical Engineers  
Three Park Avenue

Standard reference number	Title	Referenced in code section number
A17.1 – <del>00</del> 04	Safety Code for Elevators and Escalators with A17.1a-2004 addenda and A17.1S Supplement . . . . .	1007.4, 1607.8.1, 3001.2, 3001.4, 3002.5, 3003.2, 3409.7.2
A17.3 – 02	Safety Code for Existing Elevators and Escalators – with A17.3a-2000 Addenda . . . . .	See Fire Code

**NFPA** National Fire Protection Association  
Batterymarch Park  
Quincy, MA 02269-9101

Standard reference number	Title	Referenced in code section number
11- <del>98</del> 05	Low-, Medium-, High-expansion Foam . . . . .	904.7
<del>11A-99</del>	<del>Medium- and High-expansion Foam Systems . . . . .</del>	<del>904.7</del>
13- <del>99</del> 02	Installation of Sprinkler Systems. . . . .	704.12, 707.2, 903.3.1.1, 903.3.2, 903.3.5.1.1, 904.11, 907.8, 1621.3.10.1, 3104.5, 3104.9
13D- <del>99</del> 02	Installation of Sprinkler Systems in One- and Two-family Dwellings and Manufactured Homes . . . . .	903.1.2, 903.3.1.3, 903.3.5.1.1
13R- <del>99</del> 02	Installation of Sprinkler Systems in Residential Occupancies Up to and Including Four Stories in Height . . . . .	903.1.2, 903.3.1.2, 903.3.5.1.1, 903.3.5.1.2, 903.4
14- <del>00</del> 03	Installation of Standpipe and Hose System . . . . .	905.2, 905.3.4, 905.4.2, 905.8
15-01	Water Spray Fixed Systems for Fire Protection . . . . .	See Fire Code
16- <del>99</del> 03	Installation of Foam-water Sprinkler and Foam-water Spray Systems . . . . .	904.7, 904.11
17- <del>98</del> 02	Dry Chemical Extinguishing Systems . . . . .	904.6, 904.11
17A- <del>98</del> 02	Wet Chemical Extinguishing Systems . . . . .	904.5, 904.11
72- <del>99</del> 07	National Fire Alarm . . . . .	505.4, 901.6, 903.4.1, 904.3.5, 907.2, 907.2.1, 907.2.1.1, 907.2.10, 907.2.10.4, 907.2.11.2, 907.2.11.3, 907.2.12.2.3, 907.2.12.3, 907.4, 907.5, 907.9.2, 907.10, 907.14, 907.16, 907.17, 911.1, 3006.5
<del>231C-98</del>	Rack Storage of Materials (covered in NFPA 13) . . . . .	507.2
2001- <del>00</del> 04	Clean Agent Fire Extinguishing System . . . . .	904.10



*\*Chapter 36; added to read as follows:*

## **Chapter 36 Docks, Piers and Boathouses**

**3601 Permit Required.** No person shall erect, construct, enlarge, alter, or move any dock, pier, boathouse or combination to any body of water within the corporate limits of Fort Worth, that is under the jurisdiction and control of the City of Fort Worth, without complying with the provisions of this chapter.

Each application for a permit, together with plans for a dock, pier, boathouse, or any combination thereof shall be submitted as specified in Chapter 1 of this code.

Where such structures are constructed on Lake Worth or any body of water subject to the jurisdiction of another department of the City of Fort Worth, the additional approval of such department shall be obtained.

**3602 Use.** Boathouses shall normally be classified as a Group U Occupancy. Other occupancies may be allowed when the use is permitted by the Zoning Ordinance, together with the approval of any other appropriate department of the City of Fort Worth, and the construction complies with this code for said use.

**3603 Design and Design Loads.** All docks, piers and pier platforms shall be designed to withstand the live and dead loads specified in Chapter 16 of this Code. The minimum live load shall be 40 psf. Piles shall conform to Chapter 18 of this Code.

### **3604 - Dock and Pier Construction**

**3604.1 General.** Docks and piers shall meet or exceed the minimum requirements for construction as follows:

**3604.1.1 Piles.** Wood piles shall be a minimum of six (6) inches in diameter. Metal piles shall be a minimum of three (3) inches inside diameter pipe. Such piles shall be driven to a minimum depth of twenty-four (24) inches below the top layer of silt. Such piles shall be driven in pairs, one on either side of the platform, and braced as required by section 3604.5. Such piles shall not be spaced apart more than ten (10) feet center to center.

**3604.1.2 Box cribs.** Sets of structural columns of the same size forming a box crib may be used. Such crib shall be braced as required in Section 3604.5 and anchored as required in Section 3605.

**3604.2 Beams.** Beams shall be defined as those members which connect to piles to support the stringers. All beams when of wood shall be a minimum 2-inch material.

**3604.3 Stringers.** Stringers shall be defined as those members usually supporting the decking. All stringers when of wood shall be of a minimum 2-inch material. Pipe stringers shall be a nominal 2-1/2-inch I.D. and spaced not more than eighteen (18) inches O.C.

**3604.4 Decking.**

**3605.4.1** Wooden platform decking shall be of a minimum nominal 2-inch material.

**3605.4.2** Other materials, to include lightweight concrete or metal decking may be used when approved by the Building Official. Such decking shall meet the load requirements of Section 3603.

**3604.5 Bracing.**

**3604.5.1** All wooden bracing shall be of a minimum nominal 2-inch material.

**3604.5.2** Bracing shall be accomplished by one or more of the following methods:

1. Cross or "X" bracing. Cross or "X" bracing may be used on each set of pier and box cribs.
2. Beams may be used as bracing, provided the connections give sufficient support to resist horizontal forces equivalent to that of cross or "X" bracing.
3. Knee bracing. Knee bracing shall be used on each pier attached to and paralleling the platform deck. Pipe knee bracing shall be a nominal 2-1/2 inch I.D.

**3604.6 Attachment of deck.** Attachment of the platform deck to beams and piles shall be accompanied by one or more of the following methods:

1. By attaching the beams to the piles and box cribs by lag bolts.
2. By caps: Wood caps shall be a minimum nominal 4-inch material and anchored by bolts and welded.

**3605 Anchorage of Floatation and box crib structures.** Such structures shall be anchored with solid units that will provide the following anchorage:

1. Docks and piers less than fifty (50) feet in length: An anchor on each corner that will support one-fourth of the total dead load plus one-eighth the total live load.
2. Docks and piers fifty (50) feet or more in length: Anchors at the midpoint of the piers.

3. All docks and piers shall be anchored to the shore line.
4. All anchors shall be of masonry, concrete, or steel and shall be securely fastened to the dock or pier by wire rope, cable, chain, or other approved methods.

### **3606 Required Water Proofing.**

**3606.1** All wood below one (1) foot above spillway elevation on lakes or below one (1) foot above the 50-year flood elevations on other bodies of water shall be treated lumber.

**3606.2** All metal, including bolts, lag bolts, and fasteners, shall be galvanized or painted with paints of similar materials approved for immersion in water.

**3607 Floatation Units.** All flotation units shall adequately support the dead and live loads of all beams, stringers, and platforms. Data shall be submitted to and approved by the Building Official showing that the buoyancy of such units will support the loads imposed.

Only flotation units made of materials which will not affect the water quality in any way may be used. Materials which are considered unacceptable for this purpose include but are not limited to standard steel 55 gallon drums, any metal which may corrode in the aqueous environment, and any material which may release toxic or hazardous material into the lake proper. Flotation units shall be constructed of material that has never been used in any manner for storage of toxic or hazardous material. Proof that the flotation units meet the above requirements must be provided to and approved by the Building Official.

**3608 Boathouse construction.** Construction of boathouses or other structures shall meet or exceed the requirements for framing and coverage as specified in other parts of this code. When, in the opinion of the Building Official, the load of the intended use exceeds the capability of the minimum construction design specified in Section 3604, plans and specification may be required to be designed by an engineer registered in the State of Texas.

**3609 Hazardous structures.** The requirements of this chapter are considered minimum requirements for safety purposes. Any such structures that do not meet these requirements shall be considered hazardous and shall be abated, as provided by Section 102 of this Code. If the Tarrant County Water Control and Improvement District Number One regulations are more restrictive than the City of Fort Worth regulations, the Tarrant County Water Control and Improvement District Number One regulations apply.

### **SECTION 3.**

Section 7-48 of the Code of the City of Fort Worth (1986) is amended to read as follows:

#### **Sec. 7-48. Effect of conflict with other ordinances.**

This article shall be cumulative of all provisions of ordinances of the Code of the City of Fort Worth, Texas (1986), affecting Building Code provisions, as amended, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

### **SECTION 4.**

Section 7-49 of the Code of the City of Fort Worth (1986) is amended to read as follows:

#### **Sec. 7-49. Penalty for violation.**

Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed Two Thousand Dollars (\$2,000.00) for all violations involving fire safety, or public health and sanitation and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this ordinance. Each day or any portion thereof during which any violation of this ordinance occurs or continues shall be deemed a separate offense and upon conviction thereof shall be punishable as herein provided.

### **SECTION 5.**

This article shall be cumulative of all provisions of ordinances of the Code of the City of Fort Worth, Texas (1986), affecting Building Code provisions, as amended, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

### **SECTION 6.**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared void, ineffective, or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness, or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such void, ineffective, or unconstitutional phrase, clause, sentence,

paragraph, or section.

#### **SECTION 7.**

Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed Two Thousand Dollars (\$2,000.00) for all violations involving fire safety, or public health and sanitation and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this ordinance. Each day or any portion thereof during which any violation of this ordinance occurs or continues shall be deemed a separate offense and upon conviction thereof shall be punishable as herein provided.

#### **SECTION 8.**

All rights and remedies of the City of Fort Worth, Texas are expressly saved as to any and all violations of the previous Building Code, or any other ordinances affecting construction and fire safety, which have accrued at the time of the effective date of this ordinance: and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

#### **SECTION 9.**

A copy of the 2003 International Building Code, together with the local amendments contained in this ordinance, shall be filed in the office of the City Secretary for permanent record and inspection.

#### **SECTION 10.**

The Department of Planning and Development of the City of Fort Worth, Texas, is hereby authorized to publish this ordinance in pamphlet form for general distribution among the public, and the operative provisions of this ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof, as provided in Chapter XXV, Section 3, of the Charter of the City of Fort Worth, Texas.

#### **SECTION 11.**

The City Secretary of the City of Fort Worth, is hereby directed to publish the caption and Sections 1, 7, 9, 11 and 12 of this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas as authorized by Section 2, Chapter XXV of the Charter of the City of Fort Worth, Texas and by Section 52.013 (a) of the Texas Local Government Code.

#### **SECTION 12.**

This ordinance shall take effect upon adoption and publication as required by law.

APPROVED AS TO FORM AND LEGALITY:

By: \_\_\_\_\_  
Assistant City Attorney

**Ordinance 15948**

Adopted: \_\_\_\_4-13-04\_\_\_\_

Effective: \_\_\_\_4-20-04\_\_\_\_

**Ordinance 16162**

Adopted: \_\_\_\_10-12-04\_\_\_\_

Effective: \_\_\_\_10-25-04\_\_\_\_

**Ordinance 17071-07-2006**

Adopted: \_\_\_\_7-25-06\_\_\_\_

Effective: \_\_\_\_8-7-06\_\_\_\_

**Ordinance 17201-09-2006**

Adopted: \_\_\_\_9-26-09\_\_\_\_

Effective: \_\_\_\_10-2-06\_\_\_\_

**Ordinance 17522-04-2007**

Adopted: \_\_\_\_4-24-07\_\_\_\_

Effective: \_\_\_\_5-3-07\_\_\_\_

**Ordinance 17680-08-2007**

Adopted: \_\_\_\_8-9-07\_\_\_\_

Effective \_\_\_\_8-24-07\_\_\_\_

**Ordinance 18338-10-2008**

Adopted: \_\_\_\_10-21-08\_\_\_\_

Effective: \_\_\_\_10-24-08\_\_\_\_

**Ordinance 18459-02-2009**

Adopted: \_\_\_\_2-3-09\_\_\_\_

Effective: \_\_\_\_2-11-09\_\_\_\_

**Ordinance 18473-02-2009**

Adopted: \_\_\_\_2-10-09\_\_\_\_

Effective: \_\_\_\_2-17-09\_\_\_\_

6-3-09